

EXTENSIONS OF REMARKS

GROVE CITY—ABORTION CONNECTION

HON. F. JAMES SENSENBRENNER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. SENSENBRENNER. Mr. Speaker, I want to draw the attention of my colleagues to an April 19 ruling by Connecticut Superior Court Judge Robert I. Berdon. His decision in *Roe versus Maher* holds that Connecticut's equal rights amendment [ERA] requires the State to pay for abortions for low-income women.

Judge Berdon explained that a State welfare department regulation permitting funding of abortion only to save the mother's life "is sex oriented discrimination" and thus violated the Connecticut ERA. Berdon's ruling requires the State to pay for a Medicaid-eligible woman's abortion if a doctor feels it would benefit her "psychological health"—a policy equivalent to abortion on demand.

This decision shows that the Tauke-Sensenbrenner amendment does not raise a "red herring" by addressing the Civil Rights Restoration Act (H.R. 700)—abortion connection. The Civil Rights Restoration Act or Grove City bill revises title IX, which prohibits discrimination "on the basis of sex" in federally funded educational programs.

Title IX has already been interpreted to require federally funded colleges to provide abortion. The opinion of Judge Berdon in *Roe versus Maher* clearly demonstrates that judges would be willing to accept the argument that a hospital's refusal to provide abortions would be discrimination "on the basis of sex." This decision—as well as a similar 1984 Pennsylvania decision—confirms my worst fears regarding the strengthening of abortion rights without an abortion neutralization amendment.

Mr. Speaker, I insert in the RECORD the excerpted portion of Judge Berdon's opinion that shows banning discrimination "on the basis of sex" can be used as a proabortion battering ram.

EXCERPT FROM DECISION *ROE VERSUS MAHER*, CONNECTICUT SUPERIOR COURT
EQUAL PROTECTION AND THE EQUAL RIGHTS AMENDMENT

The plaintiffs also argue that the Regulation violates the Equal Protection Clauses of our state constitution contained in Sections 1 and 20 of Article First and more specifically under the Equal Rights Amendment (hereinafter "E.R.A.") adopted as an amendment to Sec. 20 in 1974.

The five member majority in *Harris v. McRae*, held that the Hyde Amendment did not violate the federal equal protection clause. 448 U.S. 297 (1980). In *McRae*, the Court held that since the restriction on Medicaid abortions does not impinge on the constitutional right of liberty and the classification is not predicated on "criteria that

are, in a constitutional sense, 'suspect' . . .", the validity of this classification must stand unless it fails to meet the rational basis test. *Id.* at 322. The Court found that such discriminatory restrictions on funding medically necessary abortions were rationally related to the legitimate governmental objective of "protecting the potential life of the fetus." *Id.* at 324.

This court also finds it difficult to accept the rationale of the majority of the Supreme Court in *McRae*, even under the traditional two-tiered equal protection review. Indeed, Justice Stevens vigorously dissented in *McRae* and argued that the Hyde Amendment was violative of the federal equal protection clause. He stated the following: "If a woman has a constitutional right to place a higher value on avoiding either serious harm to her own health or perhaps an abnormal childbirth than on protecting potential life, the exercise of that right cannot provide the basis for the denial of a benefit to which she would otherwise be entitled. The Court's sterile equal protection analysis evades this critical though simple point. The Court focuses exclusively on the 'legitimate interest in protecting the potential life of the fetus.' It concludes that since the Hyde Amendments further that interest, the exclusion they create is rational and therefore constitutional. But it is misleading to speak of the Government's legitimate interest in the fetus without reference to the context in which that interest was held to be legitimate. For *Roe v. Wade* squarely held that the States may not protect that interest when a conflict with the interest in a pregnant woman's health exists. It is thus perfectly clear that neither the Federal Government nor the States may exclude a woman from medical benefits to which she would otherwise be entitled solely to further an interest in potential life when a physician, 'in appropriate medical judgment', certifies that an abortion is necessary 'for the preservation of the life or health of the mother.' The Court totally fails to explain why this reasoning is not dispositive here." (citation omitted). *Wade*, 448 U.S. at 351-52.

The Connecticut Equal Protection Clauses require the state when extending benefits to keep them "free of unreasoned distinctions that can only impede (the) open and equal" exercise of fundamental rights. *D'Amico v. Manson*, 193 Conn. 144, 147 (1984) (quoting *Rinaldi v. Yeager*, 384 U.S. 305, 310 (1966)); *Gaines v. Manson*, 194 Conn. 510, 516 (1984). The Regulation does not satisfy this requirement. Clearly, the Regulation discriminates by funding all medically necessary procedures and services except the therapeutic abortions. As the court held in part VII of this decision, the selective funding of medically necessary abortions and the willingness of the state to fund all necessary medical procedures to bring the fetus to term at least implicitly impinges on the fundamental right of privacy guaranteed to all pregnant women—rich and poor alike—and that is, the right to choose whether to have an abortion. Since it impinges on a fundamental right, the defendants must establish both a compelling

state interest in support of the classification and that no less restrictive alternative is available. *Carofano v. Bridgeport*, 196 Conn. 623, 640 (1985). Just as the state lacks a compelling reason under due process analysis to exclude abortion from Medicaid funding at any stage of the pregnancy when the health of the woman is at stake, it also lacks such an interest for equal protection purposes. Under either analysis, the Regulation which encourages a woman through financial coercion to bear children at the risk of their health does not meet constitutional standards.

The case of the plaintiff class of poor women is even stronger given Connecticut's E.R.A. By adopting the E.R.A., the "people of this state and their legislators have unambiguously indicated an intent to abolish sex discrimination." *Evening Sentinel v. National Organization for Women*, 169 Conn. 26, 34 (1975).

The Regulation discriminates on the basis of sex in several ways. First, under the Medicaid program, all the medical expenses necessary to restore the male to health are paid and likewise for the female except for therapeutic abortions that are not life-threatening. Second, all the male's medical expenses associated with their reproductive health, for family planning and for conditions unique to his sex are paid and the same is provided for woman except for the medically necessary abortion that does not endanger her life.

The third, and the most important way in which the Regulation violates the E.R.A., requires some background. Since time immemorial, women's biology and ability to bear children have been used as a basis for discrimination against them. See generally, *Law, Rethinking Sex and the Constitution*, 132 U. Pa. L. Rev. 955 (1984). For some outrageous examples of this see: *Hoyt v. Florida*, 368 U.S. 57, 62 (1961) (upheld a statute exempting women from jury duty because they are "regarded as the center of home and family life"); *Muller v. Oregon*, 208 U.S. 412, 421 (1908) (upheld a statute that restricted the hours women could work but did not place similar restrictions on men); *Bradwell v. Illinois*, 83 U.S. 130, 141-42 (1873) (upheld a decision prohibiting women from the practice of law because of "natural" differences between the sexes). This discrimination has had a devastating effect upon women.

Since only women become pregnant, discrimination against pregnancy by not funding abortion when it is medically necessary and when all other medical expenses are paid by the State for both men and women, is sex oriented discrimination. "Pregnancy is a condition unique to women, and the ability to become pregnant is a primary characteristic of the female sex. Thus any classification which relies on pregnancy as the determinative criterion is a distinction based on sex." *Massachusetts Electric Co. v. Massachusetts Commission Against Discrimination*, 375 Mass. 160, 375 N.E. 2d 1192 1198 (1978). See also *General Electric Co. v. Gilbert*, 429 U.S. 125, 149 (1976) (Brennan, J., dissenting); *Tribe, American Constitutional Law*, Sec. 16.27; *Johnsen, The Creation of*

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Fetal Rights: Conflicts with Women's Constitutional Rights to Liberty, Privacy, and Equal Protection, 95 Yale L.J. 599, 621-22 (1986). Professor Tribe put it well when he wrote: "If one were . . . to recognize, as the Supreme Court sometimes has, that 'the grossest discrimination can lie in treating things that are different as though they were exactly alike' (quoting from *Jenness v. Fortson*, 403 U.S. 431, 442 (1971)), then it might be possible to discern an invidious discrimination against women, or at least a constitutionally problematic subordination of women, in the law's very indifference to the biological reality that sometimes requires them, but never requires their male counterparts, to resort to abortion procedures if they are to avoid pregnancy and childbearing." Tribe, *Constitutional Choices*, p. 244 (1985).

It is absolutely clear that the framers intended that pregnancy discrimination would come within the purview of the sex discrimination prohibited by Connecticut's E.R.A. and should be subject to heightened judicial review. Senator Joseph I. Lieberman, who led the E.R.A. debate on the floor of the Senate, used as an example a law denying women "unemployment compensation two months before and after childbirth," as an example of a law that would be barred by the E.R.A. 1972 Conn. G.A. Senate Proc., Vol. 15, pt. 4, p. 1526. Senator Lawrence J. DeNardis expressed the intention of the vast majority of the Senate as follows: "There often comes a point when in the life of a body politic, it must reassert the values that are inherent in the spirit of the Constitution." *Id.* at 1543. In sum, by adopting the E.R.A., Connecticut determined that the State should no longer be permitted to disadvantage women because of their sex including their reproductive capabilities. It is therefore clear, under the Connecticut E.R.A., that the Regulation excepting medically necessary abortions from the Medicaid program discriminates against woman, and, indeed, poor women.

Having concluded that the Regulation discriminates based upon sex, the court must next determine the appropriate level of judicial review to apply in order to determine whether it offends the E.R.A. The defendants argue, based on *Harris v. McRae*, that the rational relationship test should be applied. Although the Supreme Court of Connecticut has often stated that the equal protection provisions of the Connecticut and United States Constitution "have the same meaning and limitations"; *Keogh v. Bridgport*, 187 Conn. 53, 66 (1982); those pronouncements were made without reference to the E.R.A. Since the adoption of the E.R.A. those decisions of the Supreme Court of Connecticut which paid lip service to this traditional language did not involve gender classification. To equate our E.R.A. with the equal protection clause of the federal constitution would negate its meaning given that our State adopted an E.R.A. while the federal government failed to do so. Such a construction is not reasonable.

Some jurisdictions have interpreted their state E.R.A.'s as requiring *absolute scrutiny*, that is, the court will not consider any justification for sex discrimination once it has been found. For example, the Supreme Court of Washington has held that "(t)he E.R.A. on the other hand, is a very different animal from the equal protection clause—indeed, it has no counterpart in the federal constitution. The E.R.A. absolutely prohibits discrimination on the basis of sex and is not subject to even the narrow exceptions

permitted under traditional 'strict scrutiny.' The E.R.A. mandates equality in the strongest of terms and absolutely prohibits the sacrifice of equality for any state interest, no matter how compelling, through separate equality may be permissible in some very limited circumstances." *Southwest Wash. Chapter, National Electric Contractors Ass'n. v. Pierce County*, 100 Wash. 2d 109, 667 P.2d 1092, 1102 (1983); *See also, Rand v. Rand*, 280 Md. 508, 374 A.2d 900 (1977); Brown, Emerson, Falk and Freedman, *The Equal Rights Amendment: A Constitutional Basis for Equal Rights for Women*, 80 Yale L.J. 871, 904 (1971). Although the argument for absolute scrutiny is impressive, the court need not decide whether it is required by the Connecticut E.R.A. since the Regulation cannot survive strict scrutiny and indeed, not even an intermediate review.

At the very least, the standard for judicial review of sex classifications under our E.R.A. is strict scrutiny. Surely the effect of the E.R.A. was to raise the standard of review. In *Page v. Welfare Commissioner*, 170 Conn. 258 (1976), the Supreme Court of Connecticut made a point of noting that the state did not deny "that the passage of the equal rights amendment mandates the use of the 'strict scrutiny' test. . . ." *Id.* at 267. In *Page*, however, the court did not need to decide whether strict scrutiny applied because it concluded that the legislation could not survive any test. Likewise, in *Stern v. Stern*, 165 Conn. 190, 193 (1973), Justice Loisele, speaking for a unanimous court, acknowledged that the level of review would be a different ball game under E.R.A. *See also R. McG. v. J.W.*, 200 Colo. 345, 615 P.2d 666 (1980); *People v. Ellis*, 57 Ill. 2d 127, 311 N.E. 2d 98 (1974); *Attorney Gen. v. Massachusetts Interscholastic Athletic Assn.*, 378 Mass. 342, 393 N.E. 2d 284 (1979). It is certain, as previously stated in section VII of this decision, the defendants are unable to meet their burden of proving that a compelling state interest supports the classification and that no less restrictive alternative is available.

The court concludes that the Regulation that restricts the funding for medically necessary abortions except when the woman's life is endangered violates the Equal Protection Clause of the Constitution of the State of Connecticut and more specifically Connecticut's Equal Rights Amendment.

CONCLUSION AND REMEDY

The court finds the issues in favor of the plaintiff classes of poor women and physicians. The court does not take lightly the issuance of this injunction against the defendants, but the circumstances here are compelling. *Monroe v. Middlebury Conservation Commission*, 187 Conn. 476, 480 (1982). The Commissioner has clearly acted in excess of his statutory authority which has resulted in the deprivation of the plaintiff classes of their constitutional rights. For the plaintiff class of poor woman, the Regulation has jeopardized their health and could reach a level for them where it becomes life-threatening. We do not deal here with mere property or privileges—but with life itself. Furthermore, an important consideration is that the action which the court finds to be illegal and unconstitutional is not predicated upon a legislative enactment, but that which first had its existence as a mere policy of the Commissioner. It is clear, and the court so finds, that the enforcement of the Regulation would cause the plaintiffs irreparable injury and they have no adequate remedy at law. *Connecticut Mobile*

Home Association, Inc. v. Jensens, Inc., 178 Conn. 586, 592 (1979).

The court declares that the Regulation. (Policy 275 of Chapter III, Manual Chapter III, Manual Vol. 3) which provides for the funding of abortion under the Medicaid program only when necessary to preserve the physical life of the woman or when pregnancy is the result of rape or incest, to be—

(a) contrary to the statutory provisions of the Medicaid program (Medical Assistance Program, Part IV of Ch. 302, General Statutes, Secs. 17-134a et seq.) and specifically sec. 17-134b of the General Statutes, and that therefore the Commissioner of Income Maintenance exceeded his authority in adopting it;

(b) in violation of the plaintiff class of poor women's and class of physicians' constitutional rights of due process under Article First, Sec. 10 of the constitution of the State of Connecticut;

(c) in violation of the plaintiff class of poor women's constitutional right of equal protection under Article First, Secs. 1 and 20 (including the Equal Rights Amendment, Article Five of the Amendments) of the Constitution of the State of Connecticut.

The court enjoins the defendant Commissioner from enforcing said Regulation and orders that the defendants pay for the costs of all medically-necessary abortions (as defined in footnote 4 of this decision) on the same basis, to the same extent and with the same limitations as the defendant pays for all other medical expenses under the Medicaid program.

Counsel for the plaintiffs, within seven days, shall prepare a judgment file and submit it to counsel for the defendants for their comments as to form. The court will hear the parties on the form of the judgment at the time the bifurcated issue of attorney's fees is considered.

The court wishes to express its appreciation to counsel for their thorough and competent preparation and presentation of the evidence and their exceptional and outstanding briefs.

ROBERT I. BERDON,
Judge.

REDEFINING NATIONAL SECURITY

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. VENTO. Mr. Speaker, one of the most alarming phenomena of recent years has been the reallocation of an increasingly large share of the world's economic resources toward military purposes. In the United States, there has been a pronounced shift in the balance of our foreign aid programs away from economic development assistance and toward military assistance. Other countries, including a number of the world's developing nations—which are in a much more precarious position economically than the United States—have rushed headlong to purchase large stockpiles of weapons and military equipment while essentially ignoring their own social and economic development. While there can be no doubt that there are certain legitimate military security needs which must be met, we must ask ourselves whether we have truly en-

hanced our national security or whether we have in fact weakened ourselves because of this misallocation of economic resources.

We have generally tended to take a narrow view of national security as being defined only in terms of our military strength relative to that of our potential adversaries. It is becoming increasingly clear, however, that our national security encompasses much more than just our military strength. Our domestic economy and its basic industries play a large role in our security and well-being not only here at home but in other countries around the world as well. Our national security is contingent upon our own economic and political stability as well as that of other countries around the world.

We must begin to realize that the arms race between the superpowers and between many of the world's developing nations is sapping our economic resources and diverting valuable human and economic resources from truly productive long-term enterprises.

A recent provocative article by Lester R. Brown, president of the Worldwatch Institute, argues that the United States and Soviet Union have failed to notice that global politics are being "reshaped in a way that defines security more in economic than in traditional military terms." In fact, several of the world's developing nations, with widely divergent political ideologies, have actually moved to reduce military spending in real terms and as a percentage of their gross national product; that is, China, Argentina, and Peru.

Mr. Speaker, certainly Congress should not embrace any form of unilateral reduction of our defense capabilities but should carefully consider the implications for enhancing our national security by strengthening our economy and redirecting more of the world's economic and political resources toward more productive ventures. I ask unanimous consent that the following article be printed in the RECORD.

[From the Nuclear Times, May-June 1986]

REDEFINING NATIONAL SECURITY—AMERICA WILL SINK OR SWIM WITH ITS ECONOMY, NOT ITS MILITARY

(By Lester R. Brown)

Preoccupied with each other, the United States and the Soviet Union have apparently failed to notice that global geopolitics are being reshaped in a way that defines security more in economic than in traditional military terms. Now, quite apart from the positive contributions of the peace movement, worsening economic conditions may become the key motivation for reversing the militarization of the past generation.

Throughout most of the post-war period, an expanding economy permitted the world to have more guns and more butter. For many countries, however, this age has come to an end. Governments can no longer both boost expenditures on armaments and deal effectively with the forces that are undermining their economies.

The choices now are between continued militarization of the economy and restoration of its environmental support systems; between continued militarization and attempts to halt growth of the U.S. debt; between continued militarization and new initiatives to deal with the dark cloud of Third World debt. The world has neither the financial resources nor the time to militarize

and to deal with these new threats to security.

DEBTS OF DESPAIR

"National security" has become a commonplace expression, a concept regularly appealed to. It is used to justify the maintenance of armies, the development of new weapon systems, and the manufacture of armaments. One-fourth of all the federal taxes in the United States and at least an equivalent amount in the Soviet Union are levied in its name.

Since World War II, the concept of national security has acquired an overwhelmingly military character, rooted in the assumption that the principal threat to security comes from other nations. Commonly veiled in secrecy, consideration of military threats has become so dominant that new threats to the security of nations—threats with which military forces cannot cope—are being ignored.

For the United States and the Soviet Union, the cost of the arms race goes beyond mere fiscal reckoning. It is draining their treasuries, weakening their economies, and lowering their positions in the international economic hierarchy. This long, drawn-out conflict is contributing to a realignment of the leading industrial countries, with Japan assuming a dominant position in the world economy. One of the keys to Japan's emergence as an economic superpower is its negligible military expenditures—less than one percent of its gross national product (GNP), compared with seven percent of the GNP in the United States and 14 percent in the Soviet Union.

The doubling of the U.S. national debt, from \$914 billion in 1980 to \$1,841 billion in 1985, is due more to the growth of military expenditures than to those of any other sector. The growing federal debt is mortgaging the country's economic future and, consequently, its position in the world economy.

An overvalued dollar and the lack of investment in new industrial capacity have dramatically altered America's position in world trade. As recently as 1975, the United States had a small trade surplus. In 1980, it registered a trade deficit of \$36 billion. The trade deficit climbed to \$70 billion in 1983, and to a staggering \$150 billion in 1985.

This ballooning trade deficit and the associated borrowing abroad to finance the federal debt have cost the country its position as the world's leading international investor. While Japan's external holdings during this decade have grown from \$12 billion to more than \$120 billion, the net foreign assets of the United States have plummeted to minus \$120 billion. Almost overnight, the United States has become a debtor nation—a precipitous, and unprecedented, fall from leadership.

This is a worrisome shift for a country whose international leadership role since World War II has derived in large part from its economic strength and prestige. The military expenditures that are weakening the United States economically are diminishing both its stature within the international community and its capacity to lead.

The Soviet Union, too, is paying a heavy price for its role in the arms race, retaining second-class economic status despite its wealth of natural resources. Military spending channels roughly one-seventh of the nation's resources to nonproductive uses. From the early 1950s through the late 1970s the Soviet economy grew at roughly five percent annually, a rate of expansion that brought progress on many fronts. Today,

Soviet industrial growth has slowed to a crawl. In agriculture, less grain is being produced now than in the late 1970s.

While the United States and the Soviet Union have been preoccupied with each other militarily, Japan has been moving to the fore economically. By some economic indicators, it now leads both military superpowers. In a world where the enormous investment in nuclear arsenals has no practical use, the terms denoting leadership and dominance are shifting in Japan's favor. Governors and mayors in the United States now compete vigorously for Japanese investment. And Third World delegations seeking investment and technology from abroad regularly journey to Tokyo. For developing countries, the Japanese model is far more attractive than either the problem-ridden Soviet economy or the debt-ridden American one.

The U.S. economy is still twice as large as Japan's, and the country has a vastly superior indigenous resource base of land, energy fuels, minerals, and forest products. Nonetheless, a country that is a net debtor, borrowing heavily from the rest of the world, cannot effectively exercise economic or political leadership.

Unfortunately, the two superpowers that are perpetuating the arms race are not its only victims. To the extent that the arms competition diverts attention from the Third World debt that is weakening the international financial system, or from the ecological deterioration that is undermining the global economy, the entire world suffers. The extensive deterioration of national support systems and the declining economic conditions evident in much of the Third World pose threats to national and international security that now rival the traditional military ones.

HOPEFUL SIGNS

Yet, a few governments have begun to re-define national security, putting more emphasis on economic progress and less on buying arms. At a time when global military expenditures are rising, some countries are actually cutting military outlays. A handful are reducing them sharply, not only as a share of GNP, but in absolute terms as well. Among these are China, Argentina, and Peru.

As recently as 1972, China was spending 14 percent of its GNP for military purposes, one of the highest rates in the world at the time. Beginning in 1975, however, China systematically began to reduce its military expenditures, and except for 1979 has done so for the last eight years. By 1985, military spending had fallen to 7.5 percent of its gross national product.

There are indications that this trend may continue throughout the 1980s. In July 1985, Beijing announced a plan to invest \$360 million over two years to retrain one million soldiers for return to civilian life. Such a move would cut the armed forces in China from 4.2 million in 1985 to 3.2 million in 1987, a drop of 24 percent. At the same time, the leaders in Beijing have stepped up the effort to restore and protect the economy's environmental support systems by increasing expenditures on agriculture, reforestation and desert reclamation. In effect, China is defining security in economic and ecological terms.

In Argentina, one of the first things that Raul Alfonsín did as newly elected president in late 1983 was to announce a plan to steadily lower military spending. When he took office there was broad public support for a

reduction in arms expenditures, partly because of the ill-fated Falklands War, which undermined the military's credibility. By 1984, arms outlays had been cut to half the peak level of 1980, earning Alfonsín a well-deserved reputation for reordering priorities and shifting resources to social programs.

More recently, Peru has joined the ranks of those announcing plans to cut military expenditures. One of the first actions of President Alan García on taking office in the summer of 1985 was a call to halt the regional arms race. García is convinced of the need to reduce the five percent of Peru's GNP allotted to the military, a sum that consumed one-fourth of its federal budget. As an indication of his sincerity, President García announced that he was cancelling half of an order for 26 French Mirage fighter planes.

Encouragingly, the reductions in military expenditures undertaken by these three governments were independent of any negotiated reductions in neighboring countries. China lowered military outlays unilaterally, despite its 3000 kilometer border with the Soviet Union, which has continued to increase its military might. Over the next few years, as governments everywhere face difficulties in maintaining or improving living standards, others may also choose to reduce military expenditures.

RESHAPING GEOPOLITICS

Understanding the new threats to security and economic progress will challenge the analytical skills of governments. Sadly, the decision-making apparatus in most governments is not organized to balance threats of a traditional military nature with those of an ecological and economic origin. Non-military threats are much less clearly defined. And national defense establishments are useless against them.

The key to demilitarizing the world economy and shifting resources is defusing the arms race between the United States and the Soviet Union. Whether this can be achieved in the foreseeable future remains to be seen. But as the costs of maintaining the arms race multiply, both for the superpowers and for the world at large, the likelihood of reducing tensions may be improving.

In East Asia, for example, traditional adversaries China and Japan appear to be in the process of establishing strong economic ties. In contrast to the United States, China appears to be abandoning military competition with the Soviet Union. With Japan showing little interest in becoming a military power, the stage is being set for peace in the region. Both countries have redefined security and reshaped their geopolitical strategies.

If ideology gives way to pragmatism, as it is doing in China, then the conflicts and insecurities bred by the ideological distinctions between East and West can lessen. If the Soviet Union adopts the reforms needed to get its economy moving again, a similar ideological softening may result. Turning more towards a market-oriented economy to allocate resources and boost productivity could not only restructure the Soviet economy, but also reorient Soviet politics. Although pragmatism has typically taken a back seat to ideology in the Soviet Union, the leaders have demonstrated that they can be pragmatic when circumstances require, as when they import grain from the United States, their ideological rival.

For the world as a whole, the past generation has seen an overwhelming movement toward militarization. Apart from the heavy claim on public resources, the East-West

conflict contributes to a psychological climate of suspicion and distrust that makes the cooperative, international assessment of new threats to the security of nations next to impossible. China, Argentina and Peru may provide the models for the future. If demilitarization could replace militarization, national governments would be free to reorder their priorities, and could return to paths of sustained progress.

Ironically, for the United States and the Soviet Union, maintaining a position of leadership may now depend on reducing military expenditures to strengthen their faltering economies. Acting thus in their own interest, they could set the stage for demilitarizing the world economy. Once it starts, demilitarization—like militarization—could feed on itself.

UNDERSTANDING VARIATIONS IN MEDICAL PRACTICE

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. WALGREN. Mr. Speaker, today, Congressman WAXMAN, Congressman GEPHARDT and I are introducing a bill to encourage research on variations in medical practice. The practice of medicine, especially whether or not surgery is performed, varies widely around the country—sometimes with reason but often without reason.

How do we explain some of the following facts:

Physicians are more likely to perform caesarean sections on women if they are solo practitioners where there are lots of obstetricians and malpractice awards are high.

In one community nearly 70 percent of the children had their tonsils removed, while, in another, fewer than 8 percent of the children had their tonsils removed.

People in Omaha are three times as likely to be hospitalized as people in San Diego.

Americans are twice as apt to undergo surgery as Britons.

Medicare patients in South Dakota have 69 percent more surgery than those in South Carolina.

Women in one part of the country are four times as likely to have a hysterectomy than those living in another area.

In Maine the rate of hospitalization of young children with pneumonia varies as much as twentyfold from community to community only a few miles apart.

In Iowa the rate of prostate surgery in 85-year-old men varies from 15 to 50 percent, depending on where you live.

PRACTICE VARIATION

Researchers conclude that differences in the way doctors practice medicine account for much of the variation. That is, some doctors are much more prone—for whatever reason—to hospitalize a patient or perform surgery for the same condition than another doctor. Physicians' treatment of the same condition varies.

SOME VARIATION UNDERSTOOD

There are, of course, good explanations for some differences in medical practice. Some communities will have higher rates of certain

operations because of demographics—such as a large number of elderly people—or a predominant occupation, such as coal miners.

Because medical practice is continually changing and new procedures are always being introduced, some variation is a consequence of the healthy pluralism of our medical system. And, most importantly, medicine is often more of an art than a science. According to a former president of the American Medical Association, "The existence of variations in the delivery of health care services is not a new phenomenon. It has long been recognized that medicine, while based on a broad scientific foundation, still retains significant elements of choice and uncertainty." And it must be remembered that every patient brings to a doctor a unique set of facts and a unique medical history.

One researcher, Dr. John Wennberg of Dartmouth College, found that, where the medical consensus about appropriate treatment was clear, such as appendicitis, heart attack, or stroke, there was little variation. But in those cases where the medical profession has not reached a consensus, patients are likely to receive varying and even conflicting opinions from different physicians.

LEGISLATION

The bill my colleagues and I are introducing today would earmark \$6 million from the Medicare Program to conduct research on variation in medical practice and patient outcomes of selected medical treatments to assess their appropriateness, necessity and effectiveness.

Our intent is to examine the extent and the reasons for variations in medical practice with emphasis on the most costly and higher risk and the scientific basis for procedures, along with the scientific basis for them.

Senator PROXMIER has introduced a similar bill.

WHY STUDY VARIATION?

Why do we need this research? The primary goal of this bill is to promote improved quality of care. The AMA has testified, in a hearing on this subject:

We believe that this hearing can serve a beneficial purpose if judgments founded on proper studies are pursued and if all concerned look at these variations in the delivery of the appropriate level of care to meet the individual needs of patients.

Our bill would provide the medical community, Medicare beneficiaries and public policymakers with state of the art information about variations in medical practice. My bill would involve the medical community in evaluating variation, reaching a consensus about the most efficacious procedure, and in implementing decisions. In fact, it is practicing physicians who must take the lead by objectively examining practice variation, understanding it and choosing appropriate treatment for their patients.

INFORMED PATIENTS

Better understanding of variations can aid patients, giving them information to discuss medical procedures with their physicians and become more informed about their choices. Patients who understand and participate in decisions about their treatment are healthier patients in the end.

Everyone should understand if treatments are medically questionable. This is particularly critical for the elderly who may have chronic illnesses or be frail. Unnecessary surgery for them can be especially dangerous.

According to Dr. John Bunker of Stanford University:

All elective surgery and drugs carry risks. For surgery, in particular, these risks are substantial. Most of the operations for which the large variations are observed can be assumed to be elective or discretionary. The large majority of surgery, perhaps 85-90%, is for non life-saving purposes: relief of discomfort, disability, or disfigurement.

While such surgery is not intended to prolong life, it may nevertheless shorten it, since all surgery carries some risk of death. The net impact of such surgery is, therefore, to shorten life expectancy of the population as whole.

This effect was dramatically demonstrated during the Los Angeles physician slowdown of 1976 during which emergency but not elective surgery was performed. Total populations mortality for Los Angeles County fell by approximately 1/3 during the 5-week slowdown and rose again after it ended and elective surgery was resumed.

More knowledge of variations can certainly mean cost savings to the Medicare and Medicaid Programs, which together spend almost a \$100 billion a year. If out of this research more consensus on effective medical practice emerges, some unnecessary procedures could be eliminated, saving money for both the Federal Government and beneficiaries. At present, the Medicare Program is predicted to run out of money in the mid-1990's, requiring increased revenues of 48 percent or reduced benefits of 32 percent. Perhaps more awareness of variations can help reduce some costs.

VOLUNTARY MODIFICATION

It should be clear that the sponsors of this bill are not suggesting there should be Federal standards for medical practice. Understanding variation and outcome of medical practices will result in public education and voluntary practice modification when modification is appropriate. This bill is meant to document, to educate, and to encourage consensus.

The medical community has been responsive to research on the variation in medical practice. For example, in Vermont tonsillectomies declined 46 percent in 4 years and inappropriate antibiotic injections declined 60 percent in New Mexico when a physician feedback program helped the medical community arrive at a consensus about appropriate treatment. In both cases, the medical community learned—and applied—research findings.

We want to emphasize that more research could mean the elimination of certain procedures or the reduction in certain questionable procedures. But we do not mean to suggest that health care should be driven by budget considerations. In recent years, cost-cutting in the Medicare and Medicaid Programs has taken the forefront in health policymaking. While health care is expensive, there is hardly a better place to devote our resources. Health care is one area where we can always do better.

DATELINE TOKYO: PROGRESS IN THE BATTLE AGAINST TERRORISM

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. BROOMFIELD. Mr. Speaker, I want to commend the President and the Secretary of State for their tireless work in crafting a strong statement on terrorism at the recent Tokyo economic summit. By any standard, America, and her allies have taken a firm stand against terrorism. There is clearly no turning back.

While international progress in combating terrorism has been growing very slowly over the years, the recent document adopted by the seven leading industrial democracies has opened the door to more cooperation in the struggle against that international menace. The recently issued statement in Tokyo clearly condemned state-supported terrorism and specifically mentioned Libya as a leading proponent of terrorism. The document also pledged cooperation in the fight against the terrorist threat.

The success of American diplomatic efforts in working with our allies on drafting this strong statement is an example of the administration's deep commitment to facing up to the terrorist problem. Since the early days of his administration, President Reagan has committed himself to doing something about terrorism, not just turning and running from it.

By any standard, terrorism is a complex and difficult issue which must be dealt with by using a variety of tools. The administration has exerted economic and political pressure on Libya and has encouraged our allies to close their embassies in that country and shut down the Libyan People's Bureaus in various European cities. After trying to convince our allies that serious economic and diplomatic pressures should be exerted on Libya, the President resorted to another option, military action.

The international nature of terrorism requires a solution which can only be formulated with international cooperation. The Tokyo statement is definitely a step in the right direction. Our allies have decided to bite the bullet and deal with the terrorism problem head-on. Our Government's persistence in working with out friends in Europe and encouraging them to cooperate against terrorism has paid off. While much more remains to be done in this long twilight struggle, a commendable beginning has been made, thanks to the hard work of the White House and the State Department.

Overall, Tokyo was a success, especially in the important area of getting our allies to cooperate in the battle against terrorism.

With these comments in mind, I commend the following New York Times newspaper article on the Tokyo summit to my colleagues in the House.

[From the New York Times, May 6, 1986]

REAGAN WINS THE DAY AS LIBYA IS
DENOUNCED

(By R.W. Apple, Jr.)

TOKYO, May 6.—The document on terrorism adopted today by the seven leading in-

dustrial democracies was the product of a long night of haggling over different drafts and a last-minute change by summit leaders that added a denunciation of Libya, diplomats said.

In the drafting sessions, the United States and Britain, each with its own document, held out for condemnation of Libya, and Japan and France took a more measured view, the diplomats said.

The United States draft was put together aboard Air Force One on the flight to Tokyo from Bali after a long discussion in the Presidential party. President Reagan handed the document on Sunday evening to each of the six other leaders attending the summit meeting here, asking them to read it overnight. It played a major role, Administration officials contended, in persuading the conferees to adopt the kind of statement on terrorism that Mr. Reagan wanted.

"YOU'VE HAD IT, PAL"

While the final statement fell short of committing America's allies to specific economic action against Libya and other alleged sponsors of terrorism and contained no explicit endorsement of military measures against terrorism—two things the United States would have welcomed—it so delighted Secretary of State George P. Shultz that he cast aside his usual taciturnity to declare that it sent a message to the Libyan leader Muammar el-Qaddafi, "You've had it, pal."

From the American point of view, a key element was the statement's declaration that "terrorism has no justification." Some of the Europeans have long argued that terrorism could be combated effectively only by understanding that it arose from legitimate political grievances that could be dramatized in no other way.

The statement on terrorism seemed at least a modest advance on the one adopted by the seven nations at their meeting in London two years ago.

"It is not difficult to stop terrorism," the United States document asserted. "Terrorism's strategy is to launch attack after attack; when such attacks yield only punishment, that strategy fails. And terrorism's policy is to create fear; when fear is replaced with courage, terrorism is finished."

HOW DRAFT WAS WORKED OUT

In one of its bolder and more surprising passages, the paper conceded that one thing that might well motivate other countries to fight terrorism "is the need to do something so that the crazy Americans won't take matters into their own hands again." Some European leaders believe that Mr. Reagan might not have ordered the bombing of Tripoli and Benghazi on April 15 if European nations had taken earlier economic or diplomatic steps against the Libyans.

According to a ranking White House official, who disclosed the existence of the American draft document and its genesis on the condition that he not be named, the session on Air Force One involved Donald T. Regan, the White House chief of staff; John M. Poindexter, the national security adviser, and Mr. Shultz, with the President joining the conversation later. Mr. Shultz was reportedly the draftsman.

At Sunday night's dinner, the seven leaders spent an hour discussing terrorism, with Prime Minister Margaret Thatcher arguing for what one Briton called a "severe" approach. Mrs. Thatcher, who has been under heavy attack at home for having permitted United States jets to take off from her country for the raids on Libya, clearly felt

that she needed unanimity with her six colleagues to ease the isolation of her position as the only European leader who had backed Mr. Reagan's decision to bomb Libya.

A CHANGE IN TONE

When the dinner ended, the British, American, West German and Canadian delegations, at least were all convinced that there was general agreement on a muscular approach.

But when the matter was passed to the "sherpas"—the aides who are charged with reaching a consensus on disputed questions that can then be presented to the leaders—the tone changed, according to several sources. An American said that in the early hours of this morning, as the aides argued the issue, "they fell under the influence of the French, and what they came up with condemned terrorism all right, but not with very much force."

French officials denied they had tried to tone things down, but other Europeans said they had. The British were particularly displeased; a Downing Street official said the sherpas' document was "much too wet"—too limp and unspecific—and blamed the American negotiator, W. Allen Wallis, Under Secretary of State for Economic Affairs, for failing to take a firm enough line with the French.

The ranking White House official said, however, that Mr. Wallis was simply reflecting the approach the United States had decided upon well before the summit meeting. The State Department man, the official said, was "just being careful, trying to get the best he could without banging heads."

BRITON EXPRESSES DISAPPOINTMENT

Another American involved in the sherpas' deliberations gave a slightly different account. The problem, he said, was that Mr. Wallis was excessively cautious because he is an expert on economics, not terrorism, and that the British, especially Sir Robert Armstrong, the Cabinet Secretary, voiced no complaints until the 18 participants were about to end their two-hour discussion at 5 o'clock this morning.

At that moment, the American reported, Sir Robert said, "I shall tell the Prime Minister of my disappointment."

According to a number of American officials, it was clear from the start that there was no chance to persuade Britain, West Germany, Italy or Japan to endorse economic sanctions against Libya. Mrs. Thatcher dislikes sanctions not only because she is convinced that they do not work but also because she does not want to be maneuvered into supporting them against South Africa. Italy and West Germany have substantial economic stakes in Libya, and Japan, which imports all its oil, feels it must avoid offending the Arab countries that supply much of it.

Indeed, the White House aide said, Mr. Reagan was not even sure that he could persuade his six colleagues to name Libya in the terrorism statement.

LEADERS REVISE DRAFT

The draft produced by the sherpas did not mention Libya, and even though Larry Speakes, the White House spokesman, praised it this morning and said Mr. Reagan considered it a "significant step forward," the President, Mrs. Thatcher, Chancellor Helmut Kohl of West Germany and Prime Minister Brian Mulroney of Canada wanted something stronger.

So the summit session that was to have begun considering economic questions was

delayed, and the leaders went to work on the draft, in the words of one participant, "like a board of editors."

Despite what officials of three countries described as ill-concealed French reluctance and Japanese worries, the group eventually decided to include Libya's name in the statement and to toughen the language in some other ways.

"It was Ronald Reagan who suggested it," the White House official said. "The President played it very cleverly. He didn't push, he didn't thump the table, he let them discuss it, reject it, then he brought it back, and after quite a while, realism set in."

UNITED STATES-MEXICO RELATIONS

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. DE LA GARZA. Mr. Speaker, it is a pleasure for me to respond to my colleague from Texas, Representative RON COLEMAN, and present some remarks on the unique relationship between the United States and Mexico. As you know, my congressional district is next to Mexico and I have a longstanding interest in affairs that involve our two nations.

So I thought that my colleagues in the House might want to read some remarks I recently submitted to the International Trade Commission when it met in McAllen, TX, on April 7, 1986. McAllen is a major city in my district and the ITC chose it as the location for some hearings on Texas-Mexico relations. My written statement to the ITC reflects my belief in the importance of Mexico to Texas—and of course the entire United States. I submit my ITC statement in its entirety:

Madam Chairman, I thank you for inviting me to submit testimony before your Commission pursuant to its charge from the Senate Committee on Finance to investigate several aspects of our country's trade relationship with Mexico.

Just as U.S. citizens are moving in record numbers to the border areas of Texas' Rio Grande Valley and north to Laredo; so, too, are Mexican citizens migrating to this region. For every fast growing Texas border city, there is an equally fast paced Mexican sister-city on the rise. By the year 2000, the Rio Grande Valley will be above 1 million in population and our twin cities on the Mexican side of the border will have matched and exceeded that figure.

Only Canada and Japan outrank Mexico in overall trade with the U.S.—so I appreciate the Commission selecting a Texas border city for one of its hearings to highlight this economic and strategic importance of Mexico.

The interdependence of the U.S. and Mexico is nowhere better illustrated than in Texas. Just prior to the first Mexican Peso devaluation in 1982, imports from Mexico through Texas border cities had a value of \$3.2 billion and exports from Texas border cities to Mexico were valued at \$5.7 billion! And I know this interdependence is appreciated by the Commission else it would not have chosen this city for the purpose of investigative hearings.

We are still running a deficit with Mexico in all products and materials traded but it is improving. In 1985, Mexico increased its importation of U.S. goods and services by an impressive 10%. And this action was taken despite Mexico's falling oil revenues and cash earnings! Granted, Mexico has some restrictive tariffs and import rules on important items—but Mexico is stepping in the proper direction and that is proven by the 10% increase in its U.S. imports.

Most important to Texas is the recent decision by the federal government of Mexico to accede to the General Agreement on Tariffs and Trade. This Mexican decision came unilaterally on November 26, 1985. It is highly significant. Mexico, as a GATT signatory, will enjoy a Most Favored Nation status that is far more comprehensive than what it could gain bilaterally and it will benefit from bindings on tariffs maintained in the schedules of other GATT nations with which it trades.

By joining the GATT family, Mexico will be with us at the next round of Multi-lateral Trade Negotiations as a full international partner in trade. But most significantly, GATT membership means that Mexico will open itself to greater involvement with the U.S. and the world. It is a big step for a nation that has protected itself in past trading practices—but will prove a big help to the Mexican economy as it attempts to diversify beyond oil and agriculture.

And finally, to further highlight positive Mexican steps, we must point out that in July 1985, the Mexican government signed an agreement with the U.S. which provides for Mexico's gradual phasing-out of export subsidies on some articles in return for access to the U.S. injury test whenever the U.S. begins a countervailing duty investigation on any Mexican import.

In recognition of Mexico's importance, the U.S. has given it a handsome status as one of our Most Favored Nations and we grant Mexico duty free treatment under the Generalized System of Preferences on about 2,000 imported items! For the year ending December 31, 1985, our GSP duty free treatment on 2,000 items accounted for about \$1.1 billion in U.S. imports from Mexico.

This hearing takes place in a city which acts as flagship for a major Foreign Trade Zone. For the fiscal year ending September 30, 1985, the McAllen FTZ reported that once again Mexico leads all other nations in value of material entered. Mexico accounted for \$76.4 million worth of goods brought into the FTZ—higher than even Japan and Taiwan.

During the first three quarters of 1985, the twin-plant program known popularly as the Maquiladora program generated over \$1.1 billion in foreign exchange earnings for Mexico and became its second largest source of foreign earnings. At the end of 1984, there were some 641 border Maquila plants in operation. The liberal tariff concessions to U.S. companies have made the Maquila program very important to our country. Also, the Maquila in-bond assembly program is one instance where Mexico allows 100% foreign equity investments. We hope, as noted earlier by Mexico's willingness to join the GATT, that further Mexican steps to allow increased foreign investments will be forthcoming.

It is my belief that once Mexico's economy is fully diversified, we will see a much healthier trade relationship evolve. Right now—petroleum exports to the U.S. from Mexico have skewed our trade figures and is responsible in large part for the \$5 billion

deficit we had with Mexico in 1985. Over the last five years, agriculture has been one big trading feature with Mexico wherein the U.S. has registered a positive balance of trade statistic (exports to Mexico of \$8.72 billion and imports of \$6.43 billion). In the manufacturing area, we have also done well over the last 5 years (exporting \$64.5 billion and importing \$40.3 billion). So not everything is on the downside as far as the U.S. trade statistics are concerned.

But this brings me to my conclusion, Madam Chairman. Once Mexico's economy has fully diversified, there will be not only the chance of vastly increased U.S. manufacturing and agriculture exports—but the opportunity to prove our friendship by importing what a renewed Mexican economy can produce.

As I noted earlier, last year Mexico increased its imports of U.S. goods and services by 10%. And in the not too distant future, the Mexican economy will achieve diversification and that will require a broader highway of trade between our two nations.

To foster and build this broader highway, we need direct and regular contact between U.S. and Mexican industrial leaders. Our trade officials meet regularly—but so too should our captains of industry. The U.S. is way ahead of Mexico in the post-industrial forum and we need to encourage greater cooperation with the industrial leaders to fine-tune the export and import scheme. We can achieve an equilibrium in trade if we recognize that because Mexico is an important next-door neighbor, we must meet and talk as often as necessary to achieve harmony.

We already do this in the border areas. And it bears mentioning that the international border is truly just a political division. It does not divide two dissimilar nations—it merely demarcates two neighbors. Like a fence that is only chest-high. We know this in South Texas—and it was pounded home the hard way during Mexico's financial crisis of 1982/1983 when retail sales in Texas border cities fell through the floor. At that time there was not a single South Texan who did not instantly realize the critical importance of Mexico to the economic health of this border region. While debates on U.S.-Mexico trade relations take place in our respective Capitals, the day to day reality of two economies meshed together continues in the border area.

It would be my hope that while you and the other Commissioners are here in McAllen and the Valley, you would have the opportunity to see one of the many international bridges in the area and view the pulse of traffic and commerce that is a feature of our daily life down in this part of the U.S.

Life in this border region is similar to the life of twins—one knows what the other is sensing and what the other needs. We need to continue efforts at building a legal and regulatory framework that allows for the development of more cooperation, more understanding, and increased mutual projects and efforts.

Thank you again, Madam Chairman and Commissioners, for giving me this opportunity to voice my belief in perpetual U.S. and Mexican friendship.

STAN EVANS LOOKS ASKANCE AT SALT II DECISION

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. COURTER. Mr. Speaker, the recent Presidential decision to extend U.S. compliance with the unratified and expired SALT II Treaty is emblematic of the many national security and foreign policy cross-currents that pull the Reagan administration in opposite directions. As the following article by M. Stanton Evans in *Human Events* illustrates, it is difficult to fathom what motivates the President "to take a hard line toward the lesser terrorist in Tripoli while seeking accommodation with the greater one in Moscow."

The answer, of course, is that various factions in the administration's national security apparatus jockey for ascendancy on each pressing issue, alternately standing firm or making strategic concessions, as each situation warrants. Unfortunately, the appearance is that of a Reagan administration "deeply divided against itself. The net result is incoherence—which cannot lead, and which no one can follow." I urge my colleagues to consider the full text of Stan Evans' thought-provoking piece.

The article follows:

[From *Human Events*, May 3, 1986]

SALT II DECISION SIGNALS INCOHERENCE

(By M. Stanton Evans)

Just when it seems the Reagan Administration has got its act together and charted a sensible course in defense and foreign policy, it invariably reverses itself once more and heads off in the opposite direction.

The latest case of apparent resolve diffused into a blur of indecision is the tough line staked out by Mr. Reagan in striking back at Libya's Qaddafi. Whatever else might be said about this episode, it was a clear example of decisive leadership in action. And, despite the protests of the Third World and the Europeans, there is evidence that this leadership has had beneficial impact on the alliance we are supposed to head.

Comes now, however, the inevitable reversal—a determination by the Reagan planners to continue abiding by the unratified SALT II agreement. The reason for this is to go yet another "extra mile" in trying to persuade the Soviets of our *bona fides* in the realm of arms control. The ironies involved in this endeavor—and the negative signals imparted in terms of leadership—are almost too numerous to mention. Among the more obvious:

Continued attempts to seek detente with Moscow go directly contrary to the tough line on Qaddafi. The Soviets and the East bloc generally are his foremost backers. Libya is stuffed with Soviet weapons and advisors. The head of its secret police is an East German. The Soviets are also behind such terrorist as Syria, Cuba, Nicaragua and the African National Congress, shot down an unarmed passenger liner, are savaging Afghanistan, etc. What sense does it make to take a hard line toward the lesser terrorist in Tripoli while seeking accommodation with the greater one in Moscow?

Quite apart from the terrorism question, the SALT decision is irrational on the face

of it. The treaty was rejected by the U.S. Senate in 1979 and has never been ratified. If it had been ratified, it would have by now expired. President Reagan said in 1980 that it was "fatally flawed," and shouldn't be adopted. His Administration now says the Soviets are violating it, along with numerous other arms accords. Why, in view of all of this, should we abide by it?

In the matter of Soviet violations, the Reagan regime has recently issued a report detailing the numerous transgressions of the Soviets and asserting that "for one side (the United States) to adhere and for the other side (the Soviet Union) not to adhere does not constitute real arms control at all. Rather, it constitutes a dangerous form of bilateral disarmament in the guise of bilateral arms control." Exactly so. But if the Reagan Administration keeps adhering to SALT II despite the Soviets' violations, what incentive do they have to change?

The Administration has talked at length about the need to refurbish our defenses, and about the shortage of necessary funds to get the job done. Yet in order to abide by the SALT II limits, we have already dismantled one Poseidon submarine and are now scheduled to dismantle two more. These subs cost hundreds of millions of dollars to build, and still more millions to destroy. If our defenses are really in such disrepair, can we afford to be dismantling perfectly usable weapons in this fashion?

Reagan spokesmen and numerous people in Congress have lamented the vulnerability of our land-based missiles, leading to endless wrangles over the MX-Peacekeeper program and a "basing mode" that would protect it from Soviet first strike. It is generally agreed that our submarine-borne missiles are more "survivable" than our land-based one, since they are harder to find. Why should we be taking such missiles out of service even as we bewail the growing problem of vulnerability?

The centerpiece of the Reagan doctrine in matters pertaining to nuclear deterrence is the Strategic Defense Initiative, which would protect us from a Soviet missile attack and repudiate the folly of "mutual assured destruction." But if SDI is ever to become reality, the United States will have to get out of the ABM treaty of 1972, which forbids the deployment of missile defenses. Our unwillingness to abandon SALT II, which has never been ratified, makes it most unlikely that we would have the fortitude to break out of an accord that is still extant and binding.

There are more such paradoxes that could be cited, but none of these, as important as they are, is as significant as the central message of SALT II adherence by this Administration. The Reagan regime, in terms of policy and personnel, is deeply divided against itself. The net result is incoherence—which cannot lead, and which no one can follow.

NEW YORK LAW PROHIBITS CONTRACTS WITH FIRMS EN- FORCING APARTHEID

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. OWENS. Mr. Speaker, New York City is having a problem with the U.S. Department of

Transportation. The Department of Transportation insists that Federal highway funds be conserved by awarding contracts to the lowest responsible bidder. New York City, however, insists upon applying local law 19 which prohibits contracts between New York City and firms which supply South African agencies which enforce apartheid and firms which use products from South Africa.

The Department of Transportation, in an April 22, 1986, letter signed by Jim J. Marquez, general counsel, counters that this is merely a problem of preemption when there is a conflict between local and Federal law. The letter notes,

Indeed, as a matter of the policy of this administration, President Reagan has issued two Executive orders to limit dealings with South Africa, saying that apartheid "is wrong and we condemn it."

However, when we are discussing the bottom line, the administration's policy is to preach virtue and practice sin.

This body must come to grips with the difficult problems which flow from a condemnation of apartheid. I have not heard any of our colleagues get up on this floor and proclaim the virtues of apartheid. There is universal disgust with this appalling system. Yet, one finds hesitation when it comes down to deciding on what actions can be taken. Apartheid is an evil force. It must end. Its supporters do not merit any support from the American Government, State and local government, or our private sector. There may be costs to this position—we may be asked to put some money on the line. However, that is little compared to what the oppressed majority in South Africa is being asked to bear. No one is coming after us with guns, tear gas, or metal whips. We are not being summarily arrested and subjected to the most horrendous physical and mental abuse. We are not being asked to bleed. We are being asked to accept minimal financial costs to support the fight against the evil of apartheid.

The administration may take any position that it wishes. It can condemn apartheid in any forum that it chooses, including through Executive orders. However, condemnation, stinging though it may be, is simply a series of words strung together which may not be worth the breath taken to utter them or the paper to write them down. Apartheid is a monumental evil which can only be defeated by the concerted efforts of men and women of good will who as individuals and whole societies take the necessary action to cut off its lifeblood.

New York City has taken a stand similar to that of other localities and States. That stand incurs costs. New York accepts those costs even though they bring a certain amount of pain. Why, if this administration is opposed to apartheid does it resist putting its money where its mouth is and begin to accept the costs of standing up for principle? Talk is cheap. Principles cost money, time, and effort. I am opposed to apartheid and I am appalled that my tax dollars, and that is what we are talking about, are being used to support that evil. That the Department of Transportation would dare to cite the administration's opposition to apartheid while ordering that Federal funds be used to support it is almost beyond belief. It is for that reason that I have append-

ed the letter from Mr. Marquez so that all of my colleagues will be fully aware of its despicable contents.

The letter follows:

U.S. DEPARTMENT OF TRANSPORTATION,
Washington, DC, April 22, 1986.

Hon. EDWARD I. KOCH,
Mayor of New York City,
New York City, NY.

DEAR MAYOR KOCH: Secretary Dole has asked me to respond to your recent correspondence and telephone conversation requesting our review of a decision by the Director of the Office of Highway Operations, Federal Highway Administration (FHWA), concerning the inclusion by New York City of anti-apartheid provisions in Federal-aid contracts.

FHWA has determined that these special anti-apartheid contract provisions required by New York City Local Law 19 could result in situations where City contracts using Federal-aid funds are awarded to other than the lowest responsible bidder. In these circumstances, such awards would violate provisions of Title 23, United States Code, and implementing regulations thereto in Title 23, Code of Federal Regulations. As you are aware, Federal contracting procedures are designed to assure maximum competition, except where Congress has explicitly directed otherwise. Congress has not provided any exception to this general rule based on a company's doing business with South Africa.

Please be assured that we are sympathetic to the City's concerns with South African apartheid policies and its efforts to ensure that public monies do not further such policies. Indeed, as a matter of the policy of this Administration, President Reagan has issued two Executive Orders to limit dealings with South Africa, saying that apartheid "is wrong and we condemn it." However, the issue we are faced with here is not the Administration's position on the City's anti-apartheid policies, but rather the conflict between current local and Federal laws. It is also important to point out that the issue here concerning a conflict between Federal and local laws is not unique. The Department, in recent years, has also addressed conflicts between Federal requirements and local ordinances that limit competition by restricting awards to local contractors or imposing residency requirements.

As you know, members of my staff recently met with City officials and have had numerous additional conversations on this issue. We have given serious consideration to your views and the possible impact to scheduled Federal-aid highway projects in the City, although I remain concerned about the legality of these special provisions for use in Federal-aid contracts. Despite your assurances that these anti-apartheid provisions may not deter potential bidders from submitting bids on City contracts, they do appear to conflict with requirements for competitive bidding as set forth in 23 U.S.C. § 112 and 23 CFR §§ 635.108(a) and 635.111.

Since a number of Federal agencies provide financial assistance to New York City, this is not an issue that is limited to the Department of Transportation and its particular implementing laws and regulations. We have, therefore, asked the Department of Justice for its views on the applicability of Local Law 19 not only to the Federal-aid highway program but to other Federal assistance programs so as to provide consistent legal interpretation of applicable Feder-

al law. I have asked that the Justice Department expedite its review of this matter.

Pending Department of Justice review, I believe that the application of provisions of New York State Constitutional and Highway Law may also prevent Local Law 19 from applying to Federal-aid highway contracts. We have discussed in detail with your staff how these provisions might operate in the current situation. I strongly encourage you and your legal staff to explore further this issue. Should you desire to proceed immediately with pending contracts, you might discuss with the New York State Department of Transportation (NYDOT) the possibility of its administering these contracts. Since contracts administered by NYDOT are not subject to Local Law 19, this procedure could lead to expeditious processing of these contracts.

I look forward to a mutually satisfactory resolution of this issue.

Sincerely,

JIM J. MARQUEZ,
General Counsel.

WHAT AMERICA MEANS TO ME

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. BORSKI. Mr. Speaker, I rise today to share with my colleagues the award-winning themes of four students from the Philadelphia area. They recently participated in an essay contest sponsored by the Philadelphia Irish Society, entitled "What America Means to Me." In all, more than 30,000 students submitted entries in the competition. The four winners have captured a special sense of America in their compositions and I urge my colleagues to read them. With young people like these, we can feel secure in the knowledge that our future is in good hands.

WHAT AMERICA MEANS TO ME

(By Caroline Ann Johnson)

America, America, I love you
Your flag waves the colors of red, white and blue.

America is wonderful and looks great too
And all the people who live here love you.

Your mountains stand very high
They reach out and almost touch the sky.

Your trees and forests are beautiful and green
Refreshed by the water from your sparkling streams.

The people of America take pride in all they do
They love the land they live in and all their neighbors too.

And so, that is why, America, I love you!

WHAT AMERICA MEANS TO ME

(By Florentine Marie Mason)

As I was walking across the schoolyard one beautiful afternoon, I heard a voice near the flagpole. "Good afternoon, America."

"Who said that?" I yelled, looking around very frightened!

"Up here, at the top of the flagpole," said the voice.

Looking up, all I saw was the American flag.

"Yes me your flag; I salute you America!"

"I am not America, I'm Tina," I said.
 "No, you are America," the flag called back.

"I can't be America," I said, "America is made up of cities and towns, big mountains and wide rivers."

"You're wrong," said the flag. "America is you and your family and friends. People like your father and grandfather who went into the service to fight for freedom. People like your mother and grandmother who helped strangers and the people in need when they were asked. People like your priests and sisters at your church and schools, who taught you that this is One Nation, Under God. It is the people that is America."

"But all countries have people," I said.

"That's true," said the flag, "but not all people in different countries are willing to die to keep their freedom like the American people have! You can go to church without any one stopping you. Is that because your country said so? No, it is because you said so 200 years ago, and continue to demand freedom even today."

I called back, "My teachers have taught us to salute and respect you, the American flag, but you are saluting me. Why?"

"Because when you salute and honor me, you are really honoring yourself and the American people because without you Tina, I am nothing by colored cloth."

With you, I am your symbol of freedom, your emblem of truth, love and hope for all peoples who look to America for strength."

Feeling very proud, I called up to our flag saying, "From now on, when I salute you, the American flag, I'll remember who I am honoring, the people of America, because America is her people."

WHAT AMERICA MEANS TO ME

(By Toni Lee Cavanagh)

The United States of America represents 210 years of the fusing of numerous diverse ancestries. Collaborating the brilliance of countless nationalities with the determination of one human race, a truly extraordinary nation was built. It is almost impossible to fathom the overwhelming sense of brotherhood our beautiful country, America, possesses and exudes.

The 1800's saw the immigration of peoples from all over the world. Among these immigrants were my ancestors, proud and brave Irishmen. Scores of hopeful men, women, and children voyaged to America from their homelands in pursuit of a happier, more productive existence in the New World. Free of religious oppression and a stifling economic environment, the Irish were able to thrive in the United States of America.

I am proud to be an American just as I am proud to be an Irishman. America is much more than just a great nation. America is a strong union of people working together in a continuous effort to improve itself. Innumerable ethnic groups played an essential role in America's success story. The intrinsic factor in America's triumphs was and is the people's willingness to work together.

For hundreds of years differences have been cast aside to allow negotiations between America and foreign countries in order to cultivate friendships. Similarly, immigrants from all over the world made an incredible effort to avoid dissension within infant America. Having the foresight to see what a grand nation was in the making, men became devoted to seeing this blueprint become a reality. Language barriers, social and political differences, and many other obstacles were overcome in order to create

an America that each man could call his own.

With 210 years of age, America has become a haven for all mankind. Our beautiful country offers freedom of religion, speech, and the press, opportunities to achieve business success, and a healthy environment in which families can thrive. Above all, America encourages man to take risks, to believe in himself and his country enough to be an individual as well as an American.

A striking mixture of cultures, the rich aiding the poor, people helping themselves and others to attain their goals and set yet higher ones; all of this is America. Being of Irish descent and having grown up in America, nursed on stories of my Irish ancestors, I am proud to be living the dreams my forefathers had for their futures. Opportunity, equal rights, freedom, and happiness are all part of my life as an American. Every generation that lives and works in America gets closer to realizing the ultimate goals of their ancestors. This utopia, however, seems to elude us somehow; it is an interminable quest. Perhaps this is because with each new success it is a natural instinct for America to set even higher goals for herself. Her continuous prosperity sparks incentive for posterity to carry on America's determination to become a stronger, wiser, more beautiful nation.

WHAT AMERICA MEANS TO ME

(By Robert Morgan)

I am a 15-year-old blind person who has been blessed with the privilege of living in the United States of America. I had partial sight until the age of 11, when I lost my sight completely. I was frustrated and found it very hard to accept my visual handicap. Throughout my schooling as a mainstreamed student, with the patience and professionalism of my teachers, and along with the guidance and love of my family, I have been able to function independently. I have come to realize that in other countries, a person with a handicap such as mine would not have the same opportunities as a handicapped person in America. The programs for the visually impaired that our system has provided afford me the benefit of endless knowledge and possibilities.

America is a place where people, regardless of their disabilities, have constitutional rights that make them equal human beings. Although I lack outer vision I have inner vision which enables me to feel the way I do about America. The United States of America is the greatest country that God could have created on this great planet of ours.

CHASTISING PINOCHET

HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. MORRISON of Connecticut. Mr. Speaker, as the following report from the Council on Hemisphere Affairs [COHA] explains, the United States' March 6 introduction of a United Nations resolution criticizing Chile's human rights record is an encouraging sign that the Reagan administration may finally take meaningful steps to bring about democratic change in Chile. However, in the past the Reagan White House has stressed "quiet diplomacy" as a response to Santiago's

human rights abuses, in marked contrast to its vociferous attacks on left-leaning regimes charged with reaching civil rights. Overturning the policy set by the Carter administration, this administration has consistently voted in favor of multilateral development bank [MDB] loans to the Pinochet government, in disregard of section 701 of the International Financial Institutions Act, a 1977 amendment that bars the United States from supporting MDB loans to nations guilty of "a pattern of gross violations of internationally recognized human rights." The report was written by COHA research associate Louise Silberling and first appeared in the April 16, 1986 issue of COHA's biweekly publication, *Washington Report on the Hemisphere*. I commend it to my colleagues.

CHASTISING PINOCHET

(By Louise Silberling)

Into the midst of heated Congressional debate over funds for the Nicaraguan contras, the Reagan administration March 14 issued a document on "regional security" pledging to "oppose tyranny in whatever form, whether of the left or the right." Several days before, on March 6, the United States, for the first time, introduced a resolution critical of Chile's performance at the U.N. Commission on Human Rights.

On Feb. 28, Assistant Secretary of State for Inter-American Affairs Elliott Abrams, one of the most conservative members of the Administration, went as far as to say that Washington hopes that tactics used on Chile "will be as successful . . . as those applied in Haiti and the Philippines." What Mr. Abrams must have had in mind was that Washington ardently supported those two repressive dictatorships until shortly before they were overthrown due to popular protests.

As the Chilean government of Gen. Augusto Pinochet reacted angrily, some observers saw a virtual return to the Carter administration's human rights policy, while others argued that the moves were tactical in nature, intended to lend moral authority to the Reagan administration's policy of topping the Nicaraguan government.

Those close to State Department thinking told COHA that Abrams was attempting to build U.S. credentials with the Chilean opposition without seriously damaging relations with Pinochet. This dual policy, say these experts, is based on the conviction that while Pinochet's demise is not imminent, his years are numbered. The administration's success in finessing transfers of power in the Philippines and Haiti has apparently persuaded policymakers that it may be easier to attempt to co-opt opposition movements than prop up dictators.

The U.S.-backed U.N. resolution condemned "the persistence of serious violations of human rights in Chile," especially "such violations as disappearances and torture and abuses by security forces." Yet on Dec. 8, 1985, the United States voted against a U.N. resolution on Chile, and abstained from its key vote from a similar resolution in front of the Organization of American States. Since 1981, State has either abstained on, or opposed, all resolutions on Chile because, a State Department official told COHA, they were "unbalanced and strident."

The U.N. Human Rights Commission resolution, following a pull-no-punches report by the Inter-American Commission on Human Rights in October, to which Santiago also reacted angrily, did reflect Pino-

chet's increasing international isolation, a reflection, and partial result, of the success of the Church-supported coalition of moderate political parties gathered together by the National Accord in depriving Pinochet of political support within Chile.

Social Democracy leader Rene Abeliuk said March 26 that Santiago is attempting to get Washington "to go back to the silent diplomacy that was so comfortable for the dictatorship—to be scolded privately while in public there was silence." Commenting on a meeting that day between U.S. Ambassador to Chile Harry Barnes and Chilean Foreign Minister Jaime del Valle, Abeliuk said that the Pinochet regime was negotiating to "recover the system of support that the United States used to provide," and offset the "tremendous and internally catastrophic defeat" represented by the U.S. human rights resolution.

Congressional liberals were pleased by the U.N. resolution, but doubtful that it represented a fundamental shift. Conflict over Chile policy has raged between State and members of Congress ever since Reagan took office and former Secretary of State Alexander Haig normalized relations with the Santiago dictatorship, lifting the bans on Eximbank and other loans. During the Carter administration, funding prohibitions were imposed because of Chile's refusal to extradite three Chileans indicted by the United States for the murder of former Chilean Ambassador to the U.S. Orlando Letelier and an American colleague.

In 1977, a bipartisan majority at the Congress approved Section 701 of the International Financial Institutions Act, an amendment proposed by then-Representative Tom Harkin (D-Iowa.) It required United States representatives at the World Bank and the Inter-American Development bank (IDB), but not the IMF, to "advance the cause of human rights," opposing loans to countries guilty of "a pattern of gross violations of internationally recognized human rights." Votes on multilateral development bank (MDB) loans are the key indicator of U.S. policy toward larger third world countries like Chile, which do not receive significant amounts of bilateral aid.

The Carter administration consistently opposed MDB loans to Chile, but never made a formal determination that Santiago was engaging in "a pattern of gross violations" of human rights. This failure to set an unambiguous policy precedent has been exploited by the Reagan administration. In July 1981, the Reagan administration reversed Carter administration practice and began supporting MDB loans to Chile, as well as then military-ruled Paraguay, Uruguay, and Argentina.

In testimony, Abrams has contended that the Carter administration's opposition to MDB loans was only symbolic because all the loans passed anyway, and that it can better "promote the cause of human rights," stated at the beginning of Section 701, by interpreting the rest of the amendment broadly. "What is a pattern of gross violations?" asked Abrams in testimony Dec. 5. "That is a judgement call."

Critics retort that the U.S. attitude determines the amount of loans proposed to the boards of the MDBs, and point to the vastly greater sums approved for Chile under Reagan as compared with the Carter years. They also argue that the Reagan administration has accomplished little in the way of human rights improvements in Chile, while disregarding "the spirit and the letter of Section 701," as Harkin himself put it Dec. 5.

Even the Treasury Department, which bears ultimate responsibility for MDB votes, has been uneasy. On January 10 a memo was leaked from Asst. Treasury Secretary David Mulford to Abrams urging "a review of our policy regarding U.S. voting on MDB loans to Chile," citing an "unfavorable development in the human rights situation."

TEXAS LAW DAY

HON. MICHAEL A. ANDREWS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. ANDREWS. Mr. Speaker, I rise today to acknowledge two significant events we have celebrated in Texas recently—the sesquicentennial, celebrated on April 29, and Law Day, commemorated on May 1. The ideals represented by our State's legal tradition and revolutionary heritage are strongly held by Texans everywhere. In the best tradition of the original Texas lawyers and legislators, we strive today to continue our great tradition of democracy, freedom, and reliance on the rule of law.

It is to these precepts, and to the memory of our Texas forbears, that we in Texas have dedicated this sesquicentennial year. It is their exceptional vision and commitment to the rule of law that we still honor today.

The Congress of the Republic of Texas from the time of independence to the time of statehood established a legislative history unequaled by any other American State. In a revolutionary and visionary spirit, Texas was the first nation to declare another nation's failure to provide a system of public education as a cause for revolution. The Texas Declaration of Independence responding to Mexico's failure in this regard stated:

Unless a people are educated and enlightened, it is idle to expect the continuance of civil liberty or the capacity for self-government.

The constitution of the republic reflected the English heritage of the majority of the Congress by establishing "by statute the common law of England," as the law of the land. However the Texans added one qualification that is significant in our laws to this day. They incorporated the common law except as they stated, " * * * with such modifications as our circumstances may require."

One of those modifications required in the wisdom of the Texas Congress was the adoption of the civil law of marital rights rather than that found in English common law. By preserving the law of community property and recognizing a woman's equal right to the earnings of her spouse, Texas moved ahead of even the United States. The republic also passed the first homestead law in any English-speaking jurisdiction exempting the family homestead from foreclosure to pay general debts.

In a matter of jurisdiction that perhaps only lawyers can appreciate the constitution of the republic provided that:

All courts shall be open and every man for an injury done him * * * shall have remedy by due course of law.

This "open courts" provision not found in the U.S. Constitution or Bill of Rights gives

Texans to this day a special protection against any attempt to bar a cause of action because of political pressure or legislative convenience.

Even in the simple act of defining the boundaries of the republic, the Congress showed its wisdom and boldness. By including in its western boundary the Rio Grande to its source, Texas received \$10 million for its New Mexico lands from the United States in the Compromise of 1850. With this money Texas paid off the debts of the republic, built the Governor's mansion and put \$2 million into the permanent school fund.

By including a boundary extending three leagues, about 10½ miles, into the gulf, Texas' permanent school fund has received over a billion dollars from this "tidelands" revenue. By recent congressional action Texas will receive \$416 million in revenues from this source this year and will receive millions more in the future.

Like the Texans of that revolutionary decade, our generation has a vision for and a confidence in our future. One key to that future lies in space and high technology developments. I believe Texas is uniquely suited to take advantage of such space markets. Our area has a most obvious and important resource—the Johnson Space Center. The value to our community of that center is apparent though I think we must make greater use of its potential.

Also in Houston is the Texas Medical Center, a tremendous resource for biomedical and pharmaceutical research. Moreover, Texas possesses a number of world-class universities like the University of Texas, Texas A&M, Rice, and the University of Houston—all growing from an education system made possible because of the commitments to education made in Texas 150 years ago.

Despite these inherent resources and advantages, Texans will have to make a concerted effort to realize the benefits of high technology growth. We need long-range planning, incentives to new companies, and improvements in education in Texas.

We must ensure that our educational system enhances scientific and technical training. We cannot compete in the high-tech economy without having a high-tech work force. On this front, I look to Governor White's Select Committee on Higher Education for strong recommendations.

On the Federal level, Senator BENTSEN and I have introduced the National Space Grant College Act, a bill designed to promote further alliances between our universities and businesses and to foster the growth of space science expertise in our institutions of research and education. The State could also help pave the way for the space-grant college program by dedicating funds to match future Federal moneys in the same way that Texas created a technology fund to foster a wide variety of research.

Each of our universities could develop specific technological specialties in areas like biomedical research, materials processing, or communication. In this way, new high-tech businesses could share resources and expertise, and avoid squandering our resources on redundant research programs.

Finally, I feel there is an important role for local communities in this drive for economic diversifications. By providing economic development plans, supporting a base of new business incubators, fostering business-to-business and business-to-government communication, cities like Pasadena can play an important role in our future. If we can enhance our education system, harness the entrepreneurial skill and research resources of Texas, we can make a diversified and robust Texas economy a reality for our next 150 years.

FOOD FOR THOUGHT ABOUT COMMUNISM

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. BROOMFIELD. Mr. Speaker, the record clearly shows that the Communist Sandinistas in Nicaragua have essentially destroyed that poor country. The Nicaraguan economy is on its last legs, the Catholic Church there is under seige, human rights are being denied and the last free newspaper is routinely being censored.

True to form, the Marxist-Leninists of Managua are doing to that country what was done by similar totalitarian regimes in Vietnam, Cambodia, Cuba, Ethiopia and in many other countries around the world that have been added to the long list of captive nations.

All too often, Americans and others around the world forget about the seamy side of communism. They forget the lessons of the past and focus on the promises of that failed ideology. Built into the theory of communism is the idea of class struggle and the need to export that ideology.

History appears to be repeating itself today in Central America. Comandante Ortega and company are aggressively exporting their failed revolution to the surrounding countries in that region. They call themselves internationalists and believe that they must force their revolution upon the small and poor countries of Central America. Sad but true, many Americans are enamored by the revolutionary glamor of Daniel Ortega. His claims of bringing progress to Nicaragua are seductive and lull many of the innocent into believing that his brand of Marxism-Leninism will cure the ills of Nicaragua and other countries in the region.

I submit that history has shown that communism brings sadness and despair. A visit to any Communist country will prove my point. I am determined that history will not repeat itself again in this hemisphere. I don't want more Cuban police states near our southern borders.

I hope that the Congress will wake up before it is too late. Let's do something now to stem the tide of communism in Central America.

With these concerns in mind, I commend the following insightful article from the Washington Times to my colleagues in the House.

HISTORY BELIES HER PROPHECY

(By John Pitney Jr.)

On April 28, 1975, Frances FitzGerald came to Schenectady, N.Y., to lecture Union

College students about Vietnam. In her Pulitzer Prize book, *Fire in the Lake*, she had referred to the Viet Cong as "liberation forces," blamed the war's ferocity on the "latent sadism" of American troops, and longed for the day when "the narrow flame of revolution" would "cleanse the lake of Vietnamese society from the corruption and disorder of the American war."

It was fitting that she made her appearance on this day. Within hours, Communist troops would take Saigon.

A Union College sophomore, I interviewed Ms. FitzGerald for the student newspaper. Recently I played the tape of that conversation to learn how her remarks would sound 11 years later.

If the Communists are liberators, I ask, why are Vietnamese civilians trying to escape?

They are running from the Communists because they still fear the Americans, she explains. "Every single time the North Vietnamese or the PRG [Viet Cong] have come into a city, that place has been bombed." Others flee out of shame. "Of course there were a lot of people who were benefiting from the regime and the American presence. A lot of them now feel guilty."

Communist brutality does not create refugees, she suggests. "There have been no confirmed atrocity stories." In fact, any bloodbath would be America's fault. "I really think that American policy has been directed toward creating a massacre. Not only militarily, but by making a political settlement so difficult as to create as much bloodshed as possible."

What happens when the North Vietnamese take over the South?

"It's precisely what they're trying not to do. What they don't want to do is to create their own government in the South. What they see is the creation of an indigenous sovereign government which will negotiate with Hanoi before an eventual reunification of the country."

"This will be an interim government. It will be in charge of carrying out elections."

This statement is surprising. "What kind of elections?" I ask.

"National elections for a new government."

"Multiparty?"

"Probably."

So there is was. The Communists had fought for decades in order to bring democracy to Southeast Asia, and only the Americans stood in their way.

History has belied Ms. FitzGerald's ghastly delusions. Thousands of boat people tried to flee the country; though some reached freedom, many died at sea. Those who stayed behind were often sent to "reeducation camps," where they remain. The North Vietnamese not only dominated the South, but Cambodia and Laos as well. Now they threaten Thailand. And there have been no free elections.

Eleven years later her comments are memorable not because they are so unusual, but because they are so typical. Time and again for nearly 70 years, Communist crimes have escaped many liberal eyes.

In 1919, American journalist Lincoln Steffens returned from Lenin's Russia and said, "I have been over into the future—and it works!"

Joseph Davies, the U.S. ambassador to the Soviet Union, reported Josef Stalin as having "insisted on the liberalization of the constitution" and "projecting actual secret and universal suffrage." Mr. Davies also endorsed Stalin's infamous show trials.

In the late 1950s, New York Times reporter Herbert Matthews presented Fidel Castro as the T.E. Lawrence of the Caribbean.

Mr. Steffens, Mr. Davies, and Mr. Matthews were not bad Americans, just bad prophets.

And now the sequel. Although many administration critics have finally conceded that the Central American Communists are not just agrarian reformers, the critics still think that the Communists can be brought to the table by good intentions alone.

Ms. FitzGerald herself discussed Central America in a 1985 issue of Harper's: "The problem in El Salvador is not the guerrillas but the government—the military-dominated government that actually created the guerrillas and now can't get rid of them without American help."

So it's America's fault again. Cuba and the Soviet Union apparently have nothing to do with it. I hope she will not go on to claim that the Salvadoran guerrillas and the Sandinistas are aiming for free multiparty elections. Or that refugees are fleeing to America because they fear Americans.

THE SELF-INSURANCE ENHANCEMENT ACT OF 1986

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. SCHULZE. Mr. Speaker, 1 month ago today, I introduced legislation, H.R. 4524, to establish a national commission to examine our Nation's current insurance availability crisis. The Commission would examine the need for long-term solutions to ensure insurance availability for American businesses and professionals. In the past month over 40 of my colleagues have joined me in this effort. While the Commission would require action on its recommendations by the Congress within 6 months of enactment, I am now offering a short-term solution to ease the current insurance crisis.

As extensive hearings before the Oversight Subcommittee of the Ways and Means Committee have shown, the insurance crisis is complex. It involves insurance companies and purchasers of insurance, courts, and lawyers, U.S. companies and foreign reinsurers, as well as others.

My bill addresses the short-term availability crisis in two ways. First, it makes changes in the Internal Revenue Code. It provides tax incentives for small businesses or professionals to self-insure where a line of insurance is either unaffordable or unavailable. My legislation establishes what can essentially be called self-insurance individual retirement accounts or IRA's. To utilize this IRA, a business would have to have faced unaffordable premium increases within the last year, been canceled by an insurance company without prior substantiated claims within the past 3 years, or have simply been unable to find coverage at any cost.

The second provision is to enhance the use of self-insurance by expanding the Product Liability Risk Retention Act of 1981. It would allow similarly situated businesses or groups

to form their own insurance cooperatives across State lines.

It would also allow those facing unaffordable rates or who have had their policies canceled to purchase liability insurance on a group basis. Safeguards are included in the legislation to oversee the solvency and viability of these groups as well as to ensure their formation will avoid adversely impacting an already ailing insurance industry.

A provision in my bill separates it from other risk-retention legislation before Congress. It eliminates unjustified restrictions on full tax consolidation for insurance companies which offer administrative services or insurance to risk-retention groups. This provision not only eliminates bad tax policy, but more importantly, offers incentives to the insurance industry to participate and support risk retention groups.

This legislation takes off where other proposals have fallen short, it ensures some kind of insurance availability where none may be currently available. It provides the incentives necessary to make risk retention work. In the past, risk-retention cooperatives formed under the 1981 act have done poorly; in many cases folding and actually making things much worse for their members. The tax provisions of my legislation will ensure that professional management services, risk-assessment services, and reinsurance and insurance coverage will be available from the insurance industry for risk-retention groups. To provide a better understanding of how the tax provisions of my legislation work, I have included a detailed description.

I firmly believe that either of the changes to existing law will help alleviate the present shortage of insurance coverage. Both could cause a profound improvement in what is the most frightening problem facing American businesses today, the high cost of nonavailability of commercial liability insurance coverage.

I urge my colleagues to support my legislation and to support an immediate short-term solution to the insurance availability crisis. While I feel strongly a national commission is needed to address a long-term answer to this problem, enhancement of self-insurance is an immediate concern which the Congress must address.

IN SUPPORT OF TAX REFORM

HON. DOUGLAS H. BOSCO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. BOSCO. Mr. Speaker, as a strong supporter of tax reform I agree with President Reagan's goal of creating a new system that is fairer and provides for greater economic growth. The House-passed bill does, I believe, accomplish this. Fortunately, the recent plan approved by the Senate Finance Committee takes an important step in this direction as well. Senator PACKWOOD should be applauded for moving his committee away from consideration of an earlier draft plan that represented the antithesis of real tax reform. A notable case in point was this draft plan's treatment of our domestic wine industry.

In order to pay for restoring several tax expenditures, the wine industry had been singled out as the only agricultural-based product asked to absorb enormous new tax increases. Not once, not twice, but three times. The excise tax on wine would be raised 400 percent from 17 cents to 87 cents a gallon, excise taxes would be eliminated as business deductions, and future taxes would be indexed to price changes. Studies indicate that these and other excise tax increases would be highly regressive, with low-income households who account for only 3 percent of income forced to pay 8 percent of the tax increase. In effect, the excise tax increases would result in households receiving a much smaller net tax cut for low-income households than under either the House bill or the President's plan. Clearly, massive excise tax increases on wine would not bring fairness to the Tax Code.

Nor would it provide for greater productivity and growth. It is estimated that these provisions would reduce the wine market by at least 10 percent, with the loss of 400 vineyards and 20,000 jobs. That is an unacceptable burden for an industry that is already heavily taxed at the State level and has seen table wine drop from 281 million gallons to 264 million gallons in the last 2 years.

In closing, Mr. Speaker, I would remind Members of both bodies that the wine industry is not like that depicted on the television show *Falcon Crest*. In fact, it is mostly small family vineyards that are passed on from generation to generation. These small vineyards would be the first to go under such excise tax provisions. With this in mind, I would hope that the full Senate strikes a note for fairness and productivity by endorsing the Senate Finance Committee's decision to omit any additional excise tax increases on wine from its tax reform package.

ADDRESS OF CONGRESSMAN
WYCHE FOWLER, JR., BEFORE
NORTH GEORGIA COLLEGE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. SKELTON. Mr. Speaker, this past Friday evening I had the privilege to be present at the North Georgia College awards ceremony. Our colleague Hon. WYCHE FOWLER, JR., gave an excellent address on personal advancement and individualism a copy of which I insert into the RECORD:

ADDRESS OF REPRESENTATIVE WYCHE FOWLER, JR., NORTH GEORGIA COLLEGE

I want to first of all congratulate the students here today on your achievements here at North Georgia College. And in addition I would like to commend your parents who have also made a major contribution (including the financial one!) in getting you here today.

I know that all of you have better things to do with your time on this festive occasion than to listen to some long-winded speech so I will try to be uncharacteristically brief.

Addresses of this kind are generally given to a look ahead, an examination of future prospects for those who have accomplished so much and of whom we expect so much.

But I am not going to talk to you about the future, for you literally are the future. You will live there and whatever guesses or estimates I could try to give you about how your lives will be as individuals or as parts of the larger community would in all likelihood be far off the mark from the reality you will find for yourselves.

I propose to talk to you about the past, for this is also a time for reflection on what has gone before. As T. S. Eliot wrote:

"Time present and time past

"Are both perhaps present in time future,

"And time future contained in time past.

Just three years ago, in 1983, Georgia celebrated the 250th anniversary of its founding. Next year, in 1987, we will commemorate the 200th anniversary of our State's ratification of the U.S. Constitution. These milestones serve as reminders of our unique identity as well as of our common heritage as Americans, of the historical continuity linking us to the Founding Fathers as well as of the progression of years that have brought us to the present.

The world of the Eighteenth Century, the era of democratic revolutions, Indian Wars, sailing ships, and candle lights, seems very remote to us. Yet the Georgia of just fifty years ago was in truth almost equally remote to our current circumstances.

Think about it a moment. Just fifty years ago in Georgia two-thirds of the population lived on farms; our per capita income of \$317 ranked near the very bottom of all states; fewer than one half of all homes and only 3 percent of rural homes had electricity;

Only 1 home in 4 had a refrigerator; only 1 out of 16 farmers lived near a paved road; 60 percent of Georgia's textile workers lived in drab, company-owned housing and were paid 30 to 40 percent less than their counterparts in other parts of the country; race relations were characterized by legalized segregation and discrimination, disenfranchisement of Black citizens; and violence; only 36 of the State's 159 counties had full-time health departments;

Only 1 out of 3 cities, and 1 out of 4 rural communities had sanitary sewer systems; the State ranked in the top 3 States in the nation in deaths from malaria; the infant mortality rate was 57.8 per thousand, nearly the worst record in the U.S.; public spending for education was only \$73 per pupil for Whites and \$17 for Blacks; annual average teacher salaries were \$930 for Whites and \$430 for Blacks.

It is hard to believe how far we have come. I say we, but it was mainly the work of today's senior citizens and their parents who brought us to where we now are. In the mind 1980s, we have much to be thankful for as Georgians and as Americans known. We live in a land where freedom of expression is considered so deeply ingrained that we now often take it for granted. We live in a nation where the rule of law reigns supreme, even over the highest officials of government. We live in a country which has the world's longest-lived constitutional democracy, and which has never abandoned those democratic traditions whether in war, civil war, or economic depression.

For these and the many other blessings that we enjoy, we must give thanks. But, let us not forget that these achievements have not come easy. Each generation has had to fight to maintain and expand our freedoms and opportunities. I'm sure the Georgians of fifty years ago felt that they had come a long way in the State's first 200 years, yet

looking back, how limited their horizons seem to us today when we have walked on the moon, spanned the earth with transportation and communication networks, and found cures for many of the deadliest diseases of the past.

When we measure the progress of the past 50 years, it is a measure of the aspirations and efforts of the men and women who wanted something better for themselves, their children, and their country. That idea, that we can do better, that we should strive to do better, is perhaps the essence of the American spirit.

It is now 113 years since North Georgia College began holding classes. Much has changed in the intervening years both in the State, as I've just discussed, and here at North Georgia. The school here in Dahlonega has grown in size, in scope and in stature. Its growth and progress have mirrored and indeed contributed to the State's move ahead.

As Honor Students, you are at the very heart of this growth and progress. You have both contributed to it, and benefited from it. And this is certainly in the tradition of Education at North Georgia and throughout our State, a tradition of returning something of value to the community which helped support your education.

I speak to you as one who strongly believes in personal advancement and in individualism. Yet I also have an absolute belief that we all have obligations to our country, to our community, to our families. The phrase "No man is an island, entire of itself; every man is a piece of the continent, a part of the main," is as true today as it was 360 years ago when John Donne penned the words for the first time.

None of us lives in isolation from the world around us. All of us have benefited from those who have come before, whether the inventors who have advanced human technology to the point where we can now reach for the stars, to the political, business, and other leaders who have helped to build an unparalleled system of personal freedom and affluence, to our own grandparents and parents who have sacrificed to give us a better life than they experienced.

I hold with the Apostle Luke, "For unto whomsoever much is given, of him shall be much required; and to whom men have committed much, of him they will ask the more." We, your generation and mine, have been given more material benefits than any other groups in history. We have the greatest debts to pay and the awesome responsibility of enriching the future for those who are to follow us.

Are we up to the challenge? I would like to think that we are. There is no shortage of societal problems that need attention, from the threat of nuclear proliferation, to the danger of environmental contamination, to the question of industrial competitiveness, to the quest for a cure for cancer, to a host of other concerns. I would like to hope that your generation will do a better job of responding to President Kennedy's call to my generation almost a quarter century ago.

"Since this country was founded, each generation of Americans has been summoned to give testimony to its national loyalty. The graves of young Americans who answered the call to service surround the globe. Now the trumpet summons us again—not as a call to bear arms, though arms we need—not as a call to battle, though embattled we are—but a call to bear the burden of a long twilight struggle year in and year

out, rejoicing in hope, patient in tribulation—a struggle against the common enemies of man: tyranny, poverty, disease and war itself. . . . The energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it—and the glow from that fire can truly light the world. And so, my fellow Americans: ask not what your country can do for you—ask what you can do for your country."

I have been very pleased to see the rekindling of patriotism across the country over the past few years, but for this patriotism to have any real meaning it must be more than merely a good feeling. It must be coupled with a commitment for national service. Freedom is not only a right, it is a responsibility.

I urge you to reflect upon those whose contributions have made your academic successes possible: first of all, your parents and family who have seen you through these past four years, in good times as well as bad; your teachers from kindergarten through college who have taught you how to learn; your state and your community who have helped to finance your education; and your country which has provided you with the freedom and the opportunity to choose your own direction.

Think of what you owe them, and others who have helped, either directly or indirectly, to bring you to where you are today. And, to paraphrase President Kennedy, ask what you can do to repay your debt.

As I said before, the challenges are there, the needs are great. But I think you are up to it. And when you attend the honors nights of your children and grandchildren you will be able to look back in pride to your accomplishments in making our land an even more luminous "shining city on a hill."

Thank you very much for allowing me to be with you here today.

RENAISSANCE OF THE WICKES COMPANIES

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. LEVINE of California. Mr. Speaker, one of the most remarkable business success stories of recent years is the renaissance of the Wickes Companies.

Less than 2 years ago, Wickes was in chapter 11, teetering on the brink of extinction. In an effort to salvage the situation, Sanford C. Sigoloff, a uniquely gifted businessman, was asked to bring his managerial magic to bear and keep Wickes afloat.

Today, the Wickes Companies are no longer in chapter 11. They have been revitalized and rejuvenated. Not only has Wickes again become a vital competitive force in this country, but it is now preparing to do battle to win back markets lost to foreign competition.

All of this is a mighty tribute to the talents of Sandy Sigoloff. The current issue of Business Week magazine contains a brief profile of this remarkable businessman and a short summary of his impressive accomplishments.

I ask unanimous consent to include the text of this article, and ask my colleagues to join with me in paying tribute to Sanford Sigoloff—a great American success story.

[From Business Week, May 12, 1986]

"COMPANY DOCTOR" SIGOLOFF HAS AN RX FOR WICKES: ACQUISITIONS

Now that Sanford C. Sigoloff is running a nice, normal company for the first time in his life, is the high-energy "company doctor" going soft? There are startling signs at Wickes Cos., the retailer he guided out of bankruptcy court last year: Chairman Sigoloff now tolerates vacations and lets executives take Sundays off. (Not Saturday, to be sure.) Recently, Sigoloff left his Santa Monica (Calif.) office to spend three days in Bermuda at a party for 400 employees. Fifteen months after Wickes emerged from Chapter 11, "things are a bit more relaxed around here," says Lawrence P. Friedman, a Wickes senior vice-president.

The calm may be temporary. Having fixed three broken companies over the years—partly through chopping and dumping—Sandy Sigoloff wants to show that he can build companies up as well as tear them down. His plans for Wickes include at least one major acquisition and a number of smaller ones. A big one recently got away: Sigoloff bid \$1.4 billion for National Gypsum Co., but dropped out when management of the wallboard maker offered more. He clearly has other candidates. "We'll be back at it before our annual meeting [on May 28]," says Sigoloff. "We intend to make a major acquisition this year."

DEEP POCKETS

Wickes, in fact, can afford to pursue quarry even larger than National Gypsum, says Wilhelm A. Mallory, senior executive vice-president and Sigoloff's second-in-command. Wickes will go ahead with a \$600 million debenture issue, originally intended to help pay for National Gypsum. Wickes already has \$300 million in cash from selling operations, and Drexel Burnham Lambert Inc. is readying a private debt offering. Wickes's ease in raising money is striking evidence of its recovery.

Sigoloff's urge to acquire stems partly from a huge tax-loss carryforward that will relieve Wickes of paying taxes on its next \$469 million of earnings. The tax credit piled up after Wickes's 1980 takeover of retailer Gamble-Skogmo Inc., a debt-laden deal that led to heavy losses and bankruptcy court. Sigoloff, who took over a month before taking Wickes into Chapter 11 in 1982, says it may be nine years before the tax credit is used up by current operations, which include furniture and building-material stores and apparel and auto-parts production.

By Sigoloff's reckoning, acquisitions would help Wickes utilize the tax credits more quickly—perhaps within three years. Using up the credits and building acquisition debt could also discourage a once-bizarre notion—a takeover of Wickes. Its stock now trades at about 6 a share—double the price when it came out of Chapter 11 in early 1985. Still, for about \$1 billion, a buyer could get the tax loss, the \$300 million in cash, and a profitable company. Wickes earned \$76 million in a year ended Jan. 25 on sales of \$2.8 billion. The last company Sigoloff salvaged, drug retailer Daylin Inc., fell in a hostile buyout by W.R. Grace & Co. Could Wickes suffer the same fate? "Bite your tongue!" snaps Sigoloff.

A former nuclear physicist, Sigoloff, 55, is hunting acquisitions with typical precision through computer analysis. Tight-lipped, he won't say who came up with National Gypsum, although apparently it was Drexel Burnham Lambert. Nor will he say why he

let a Gymsum management buyout offer sit on the table for four months before entering a last-minute bid. For the normally outgoing Sigoloff, such reticence is revealing. "He appears relaxed," says a colleague, "but he's tense inside."

As he weighs possible buys, Sigoloff leans toward manufacturing, preferably of consumer goods. "We want brand recognition, shelf space, and a good marketing force," he says. "And we want something where the payoff of automated manufacturing is starting. There are enormous opportunities in manufacturing." He's intrigued by recapturing markets lost to foreigners—as Wickes is trying to do in high-performance auto pistons dominated by West Germany.

MISSED CHANCES

Sigoloff's one big success was buying consumer and industrial units from Gulf & Western Industries for \$1 billion last fall. But he lost the cleaning-products business of Purex Industries Inc. to Greyhound Corp. last year—and a W.R. Grace home-improvement chain this year. The missed chances show prudent bidding, says Sigoloff. "The chase makes you want to keep going," he says, "but never, never, never overbid."

Divestitures have been easier. Sigoloff has sold 19 operations—including supermarkets, drug stores, and a mail-order unit. Four more on the block, including clothing stores and mattress manufacturing, should end the major spinoffs.

Can Sigoloff switch from strategic maneuvering to become a day-to-day manager? Chances seem good, thanks to a prodigious memory and an operating manager's eye for detail. In meetings he takes nonstop notes—and saves them. "Then he'll say to a manager, 'But two years ago you said this . . .'" says James M. Van Tatenhove, a Wickes senior vice-president. "It can be very disconcerting." Sigoloff also calls up daily computer runs on inventories and manufacturing efficiency.

Sigoloff is chairman, chief executive, and president—and plans to keep those jobs at least several more years. He won't get bored, he says, "because I keep changing the company." Some stockholders may hope his acquisition hunt doesn't change things too fast. After all, ambitious growth is what got Wickes into trouble in the first place.

COSMIC OBJECT DISCOVERED

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. UDALL. Mr. Speaker, evidence of a giant cosmic object has been gathered at the Kitt Peak Observatory in Tucson, AZ. I commend the scientists behind this discovery as I believe that their findings are crucial to further understanding of the universe, past, present, and future.

Early this March, the 4-meter Mayall optical telescope spotted the object which appeared as a double image in the sky. Working on Einstein's theory that gravity bends light, scientists believe that the double image they see is caused by "an intervening object whose gravity is so powerful that it bends the quasar's light * * *". It is estimated that the gravity of

this object matches that of a thousand galaxies.

An article in the May 6, 1986, issue of the Washington Post describes this discovery and its implications for science. I submit the article to the RECORD for the interest of my colleagues.

GIANT COSMIC OBJECT DISCOVERED

(By Michael Lemonick)

PRINCETON, NJ, May 5.—Princeton University astronomers have found evidence that a mysterious, extremely large mass is drifting in space halfway between Earth and the edge of the observable universe.

Although the object has not been seen directly, the discoverers estimate that its gravity is that of a thousand large galaxies combined.

The discovery near the constellation Virgo could lead to a revolution in understanding of the universe. The object is impossible to classify, according to Edwin L. Turner, a Princeton astrophysicist and principal author of a report of the find in this week's issue of the British journal *Nature*.

"The most conservative explanation would be that it's a cluster of galaxies as large and dense as any we've ever seen," he said. "The problem is that we should be able to see such a big cluster quite easily in our telescopes, and we don't." Observations with more sensitive radio telescopes have also failed to see evidence of such a cluster.

The other possibilities, considered extremely exotic by astronomers, are a black hole with the mass of 1 quadrillion stars and something called a cosmic string, a sort of crack in space itself.

"We may be seeing something that has only existed in our theories until now," said J.R. Gott, another Princeton astrophysicist.

Evidence of the new object, gathered in early March with the four-meter Mayall optical telescope at Kitt Peak National Observatory near Tucson, is in the form of a double image in the sky. What seems to be two quasars, galactic cores so bright they are visible even at the universe's edge, is really just one.

The double image, a kind of space mirage, is caused by an intervening object whose gravity is so powerful that it bends the quasar's light, like a distorting lens. Predicted by Albert Einstein and others in the 1930's, the phenomenon was found first in 1979 and has been seen five times since. None of these so-called gravitational lenses, however, has been as powerful as this one.

The newly discovered lens separates the quasar images by about 2½ minutes of arc, about 30 times the separation caused by the other lenses. The full moon is about 30 minutes of arc, or half a degree, in diameter.

Astronomers have said they are convinced by the size of the separation that the unseen object, the source of the gravity causing the double image, must be unprecedentedly massive. When the dual image was first noted in 1979, it was not investigated as a candidate for the lens effect because of the improbably wide separation.

Turner acknowledged a slim possibility that the double images might be two distinct objects but said the evidence makes this extremely unlikely. Spectral analyses of both images, in which their light is separated into its component colors, show that each has essentially identical component wave lengths. Quasars usually are quite different in spectra.

"It would be too much of a coincidence for two quasars to be so nearly identical," he said.

Jeremiah Ostriker, chairman of Princeton's department of astrophysical sciences, agreed, saying, "I don't think nature is playing tricks on us."

"Whatever the object is, its mass makes it quite unusual," said Alexander Vilenkin, a Tufts University physicist. "If this actually is a lens, its enormous separation means we will almost certainly learn a great deal about the way the universe has evolved."

Word about the new lens has spawned a flurry of papers exploring its consequences for prevailing theories about the universe. The 200-inch telescope atop Mount Palomar in California is being trained toward the lensing object and is also seeking evidence that other, fainter nearby quasars may have been lensed into double or triple images.

The number of images is important. If the lens is a cluster of galaxies, it will produce three or more images. If it is a black hole or cosmic string, it will produce two.

Moreover, all pairs of string-generated images would be arrayed with one image on each side of an invisible line. But if the object is a black hole, the images would be paired around a common center. Preliminary searches have revealed only the pair of images, making it impossible to answer the question.

Cosmic strings and black holes are two of the newest additions to astronomy's menagerie of theoretical objects in the cosmos. Both are thought possible, but neither has been for certain.

Of the two, black holes are thought more likely. They are born when stars run out of fuel and collapse. If the star has enough mass, collapse is inexorable. Instead of stopping when the mass is compressed into a solid, compression continues indefinitely, beyond the point at which atoms lose their identity.

Finally, the gravity is so strong that light cannot escape. The star, now only a few miles wide, is black. Black holes can grow to enormous size by pulling in other stars, but astronomers calculate that it would take longer than the universe has existed for one to accumulate enough mass to be as powerful as the newly discovered object. Cosmic strings, much more speculative, are strings of matter left after formation of the universe and far thinner than a subatomic particle but with a mass of billions of tons per inch of length. "Cosmic strings are a very exciting possibility in this case," Gott said, "because they should produce images with just this kind of [image] splitting."

Astronomers at AT&T Bell Labs in Holmdel, N.J., are seeking evidence of a cosmic string by searching for distortions that it would theoretically produce in faint microwave radiation that pervades the universe as a leftover from the "Big Bang" explosion in which the universe is believed to have begun. The radiation's intensity from one side of the string to the other should change slightly.

"Our detector is more sensitive than any other currently set up," said Bell Labs' Anthony A. Stark, "and we don't see any compelling evidence either way." Stark and Robert W. Wilson, who won a 1978 Nobel Prize for discovering this background radiation, plan more detailed observations next year.

The background of microwaves also can give clues about the other candidates. If the lensing mass is a cluster of galaxies, its gas should produce a noticeable dimming of the microwaves. But Bell Labs' search has not found this.

If the mass is a black hole, it will appear as a void in the sky but too small to be seen with anything but the Very Large Array radio telescope near Socorro, N.M., which may be used this summer.

If none of the proposed theories about the mass proves correct, the unsolved puzzle could keep astronomers busy for years.

"My personal guess," Princeton astrophysicist Bohdan Paczynski said, "is that this is what will happen."

THE "NEW" HAITI

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. TOWNS. Mr. Speaker, today we adopted an amendment which will provide \$21.7 million in economic assistance to the Government of Haiti. This assistance is sorely needed for two reasons. First, the country faces a serious balance of payments problem as well as unemployment and food needs. Second, the United States must demonstrate that it is as willing to support governments in their effort to move toward democracy as they are to support dictatorships merely for the sake of "stability."

While we need to support the Government of Haiti in its transition to democracy, we must also guard against shoring up the very Haitian forces who are opposing the transition to democracy. At this time, it is clear from recent actions by the military police, regular army units and even the U.S.-trained leopard forces, that military forces in Haiti are incapable of exercising restraint in dealing with Haitian citizens who are engaged in legitimate protests against the actions of their government. We cannot expect to protect the right of assembly for ourselves and then deny it to others by supporting repressive forces against them. In this vein, I would like to bring to my colleagues' attention an editorial from the Nation in their April 19 issue which speaks to this issue of military assistance to Haiti. I commend it to my colleagues.

THE "NEW" HAITI

The sound of the Reagan Doctrine Part II is ringing in Haitian ears, and it evokes memories of the island's occupation by U.S. Marines from 1915 through 1934. Worried about the prolonged popular protests in Port-au-Prince and the provincial cities, the Administration sent Assistant Secretary of State for Inter-American Affairs Elliott Abrams to the capital. On April 3, Abrams announced that the United States will help the Haitian junta upgrade its internal security forces.

After Jean-Claude Duvalier fled the island on a U.S. Air Force jet on February 7, a military junta was installed with Washington's blessing. Following their liberation, the Haitian people took to the streets in a bloody campaign against Duvalier's hated police force, the Tontons Macoute. Thus preoccupied, they took a few days to notice that the junta was composed almost entirely of former Duvalier satraps.

The New York Times story reporting Abram's remarks noted, "Both the Haitian military and police forces . . . will begin a recruiting program this month to fill the vacuum left by the Duvalier militia known

as the Tontons Macoute . . . [which] was widely believed to have been the vital instrument for maintaining stability." That vacuum is not one the majority of Haitians abhor, but it is one that the Reagan Administration fears. Stability, not democracy, is what Reagan II is all about. The State Department's painless Haitian coup is now being threatened by the people it was intended to placate. Since the day they realized who was in the junta, Haitians have been opposing it. Not satisfied with a few cosmetic changes at the top—leaving Gen. Henry Namphy, the former commander of Duvalier's army, in charge—they are clamoring for a civilian junta to rule until elections are held. But the present junta has so far failed to set a date for the promised elections.

Rather than pressuring it to do so, the State Department talks about sending military advisers and aid to shore it up. Abrams acknowledged that Haiti's urgent need is for food but called for guns as well: "If you want to maintain order in the country, then the military is going to have to modernize and professionalize, which it wishes to. Obviously a new, democratic Haiti will need a new, professional force to maintain order."

Obviously, any government, democratic or totalitarian, needs an armed force, and Haiti's present one is negligible—7,800 poorly equipped, poorly trained, poorly paid men, including an outmoded and inefficient fire department. But Haiti is not yet "new [and] democratic"; it is the same old Haiti, starving and powerless.

What is new is that completely disenfranchised people have seen the power they can wield simply by going on strike, organizing demonstrations and running fearlessly into the bullets fired by troops and the Tontons. The Haitians struck and protested for three months and dislodged a dictatorship that had been in power for nearly three decades. People who have overthrown an oppressor as malevolent as Duvalier are not likely soon to subside beneath the rule of another, albeit lesser, evil. The United States is ready to provide the new junta with the means to put down any serious popular eruptions. An easier way to end the chaos in the streets would be to hold popular elections. There is no dearth of declared presidential candidates who were opposed to Duvalier, including Gregoire Eugene, Sylvio Claude and Hubert de Ronceray. But Abrams made no mention of elections.

Haiti is not threatened by an outside power; the United States should not be arming the junta with weapons intended for use against Haitians. In the end, the island's stability depends on its people. And they are no longer docile.

SAVING SIX JOB CORPS CENTERS

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. WILLIAMS. Mr. Speaker, the administration has announced the closing of six Job Corps centers in the States of Washington, Oregon, Kentucky, Colorado, Missouri, and Oklahoma. The amendment accepted today in the supplemental appropriation is our chance to preserve the prerogatives of the Congress on this issue. Unless the Congress acts now, they will succeed.

Just last week 75 Members of the House signed a letter to Chairman Natcher on this issue. This letter was signed by the chairmen and ranking members of the Education and Labor Committee and its Subcommittee on Employment Opportunities. I would like to insert this letter in the RECORD at this point:

HOUSE OF REPRESENTATIVES,
Washington, DC, April 30, 1986.

HON. WILLIAM NATCHER,
Chairman, House Appropriations Subcommittee on Labor-HHS-Education, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: We urge you to write Secretary Brock authorizing the expenditure of Job Corps construction funds to maintain current slot levels while preventing the closing of Job Corps centers. The Department's policy, soon to be activated, will overturn completely the actions of the Congress which voted to fully fund 107 centers training almost 100,000 youth annually.

What makes the Department's plans particularly onerous is that their policy places the Administration in the position of both judge and jury concerning Job Corps' future. The use of these construction funds would preserve the prerogatives of the Congress on this issue by allowing your subcommittee the opportunity to act on its FY 1987 appropriations bill. Unless the Congress intervenes immediately, six or more centers will be closed before the end of FY 1986.

With youth unemployment approaching 20 percent and minority youth unemployment over 40 percent, there is no justification for reducing slot levels or closing Job Corps centers.

We appreciate your continued, long-term support for the Job Corps.

Pat Williams, MT, Chairman, Select Ed. Subc.; Augustus F. Hawkins, CA, Chairman, Ed. and Labor Committee; Matthew G. Martinez, CA, Chairman, Employment Opportunities Subcommittee; James M. Jeffords, VT, Ranking Member, Ed. and Labor Committee; Steve Gunderson, WI, Ranking Member, Employment Opps. Subc.; Bill Nichols, AL; John M. Spratt, Jr., SC; Paul E. Kanjorski, PA; Albert G. Bustamante, TX; Harley O. Staggers, Jr., WV; Carl C. Perkins, KY; Al Swift, WA; Charles A. Hayes, IL; John McKernan, Jr., ME; Barney Frank, MA; Stephen J. Solarz, NY; Bill Emerson, MO; Howard Wolpe, MI; Frederick C. Boucher, VA; Vic Fazio, CA; Bruce A. Morrison, CT; Jaime B. Fuster, PR; John J. LaFalce, NY; Jim Olin, VA; Charles E. Bennett, FL; Marcy Kaptur, OH; James Weaver, OR; Martin Frost, TX; Edward F. Feighan, OH; John McCain, AZ; Sid Morrison, WA.

J.J. Pickle, TX; Robert T. Matsui, CA; Gerald D. Kleczka, WI; Wayne Dowdy, MS; Roy Dyson, MD; Joe Kolter, PA; William J. Coyne, PA; Sander M. Levin, MI; Ronald D. Coleman, TX; Alan Wheat, MO; Paul B. Henry, MI; Lane Evans, IL; William Hill Boner, TN; Buddy Roemer, LA; Mel Levine, CA; James A. Traficant, Jr., OH; Major R. Owens, NY; James V. Hansen, UT; Cecil Heftel, HI; Carroll Hubbard, Jr., KY; Ronald V. Dellums, CA; Walter E. Fauntroy, DC; Austin J. Murphy, PA; Doug Walgren, PA; Robert A. Young, MO; Ron de Lugo, VI; Mike Lowry, WA; Bruce F. Vento,

MN; Thomas A. Daschle, SD; Stan Lundine, NY; William Clay, MO; Bill Chappell, FL; Norman Y. Mineta, CA; Don Edwards, CA; Kenneth J. Gray, IL; Benjamin A. Gilman, NY; George E. Brown, Jr., CA; Henry B. Gonzalez, TX; Dale E. Kildee, MI; Mike Synar, OK; John Conyers, Jr., MI; John J. Duncan, TN; Samuel S. Stratton, NY; George W. Crockett, Jr., MI.

The Job Corps works. It returns \$1.45 for every dollar invested. The record is clear, 85 percent of Job Corps trainees are placed in jobs, the military or further education. In addition, Job Corps workers provide needed work on Federal lands; they fight fires, clear trails and streams, and build shelters. In urban areas, they build park benches and provide other needed public services. These centers are a credit to their community.

We should not be shutting down centers when youth unemployment is at 18.2 percent. Although the teenage population in the United States declined by 12.9 percent between 1979 and 1985, the number of employed teens fell by 20.4 percent.

TOKYO AND THE DEBT CRISIS

HON. ROBERT GARCIA

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. GARCIA. Mr. Speaker, in his column today in the Washington Post, Hobart Rowan points out that there was no discussion of the Third World debt crisis at Tokyo. This was a mistake.

There is no more pressing problem to many developing nations than the overextension of their national debts, particularly to nations in this hemisphere. It will take a great deal of imagination and patience to work through this problem. The Tokyo summit would have been the perfect place to begin a dialog on this issue.

In his essay, Mr. Rowan also discusses the Baker plan, comparing it to alternative suggestions being offered by banker Felix Rohatyn and Senator BILL BRADLEY. Mr. Rowan makes a strong case for both of their alternatives. Whatever program for easing this crisis that is finally agreed upon, one thing is certain: The time for action is now.

I am submitting Mr. Rowan's article for the RECORD.

WHAT ABOUT THE DEBTS?

(By Hobart Rowan)

TOKYO.—Despite the hopeful words of the economic summit communique, the world's leaders took no new or significant action to deal with the critical Third World debt problem, beyond a routine endorsement of the now-famous "Baker initiative" announced last October.

Prior to the summit, Uruguayan President Julio Maria Sanguinetti wrote host Yasuhiro Nakasone on behalf of the Cartagena group of debtor nations. He labeled the Baker plan "insufficient" and appealed, without success, for lower interest rates.

Given the history of economic summitry, it is not too surprising that the really tough problems get swept under the rug. And the Tokyo summit was overwhelmed by the

Soviet nuclear explosion and the terrorism issue.

But whatever the limits of summitry, the debt problem remains a real one. As Sen. Bill Bradley (D-NJ) has observed, the Baker debt initiative was a significant step because it recognized that the administration's earlier approach to the problem, stressing austerity rather than economic growth, had "reached a dead end."

But the Baker plan is not broad enough in scope, and too demanding on the 15 debtor nations involved: It insists that they make drastic changes in their economies so as to become more "market-oriented" and "growth-oriented." If that "privatization" test is met, Baker proposed an injection of just under \$10 billion a year in new capital in the 15 nations (over and above what had been planned) for the next three years, from commercial banks and international organizations such as the World Bank.

The critical problem the Baker plan fails to address is that the developing countries have been forced to become large net exporters of capital to the industrial nations. What the Third World needs is relief from this burden.

Since the debt crisis broke onto the world's consciousness in 1982 when Mexico couldn't pay interest on its debt, these interest payments have been "rescheduled,"—that is, added onto the total debt owed. In banker Felix Rohatyn's apt phrase, "This device is a bridge to nowhere." Despite great effort to boost exports and reduce imports, the total debt has continued to expand.

The Catch-22 is that if relief is provided by cutting interest rates and stretching out the terms, many American banks will have to adjust their books to reality and accept damaging losses. Rohatyn and Bradley approach the problem somewhat differently, but both call for dramatic changes in the Baker plan.

Rohatyn wants to cut current interest rates to Latin American countries by four percentage points, saving them about \$15 billion annually. That would cut the profits of American banks, he figures, by \$4.5 billion.

To compensate, he proposes a guarantee of the banks' loans by either the United States or the World Bank. In effect, "the banks would exchange current profits for long-term financial security." And to add new capital, Rohatyn would put the bite on Japan—which is running huge international trade surpluses—for \$100 billion over five years, funneled through the World Bank and the Inter-American Development Bank.

Thus, together with \$75 billion in interest-rate relief, Rohatyn is talking of the injection of an aid package of \$175 billion of new capital—\$35 billion annually against Baker's \$10 billion.

Bradley emphasizes relief from the existing debt, more than new loans, for countries that initiate their own programs to "rekindle growth and nurture democratic institutions." A critical test would be the ability of the Third World nations to stop the existing, devastating flight of capital out of their countries to safer havens.

If the citizens of the developing nations plainly believe their own countries are a lousy risk, why should foreigners continue to pump new money in? Bradley is convinced that his plan would encourage real economic reform from within the affected countries, because it would not be dictated from the outside. If the Baker initiative has stalled, it can be attributed to the political inability of most debtor nations to admit

that they're knuckling under to Uncle Sam and the big bankers.

To heads of state and industrial nations' finance ministers, ideas such as Rohatyn's and Bradley's appear to be off the wall. But as Rohatyn says, the banks have already become prisoners of their big borrowers. Peru and Nigeria have taken the situation in their own hands, and placed a "cap" on their interest payments. Mexico, a neighbor and partner of the United States, all agree, is a special case. A collapse there could have untold consequences.

THE GREENBERGS: AN AMERICAN SUCCESS STORY

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. SOLARZ. Mr. Speaker, today I rise in tribute to one of Brooklyn's most cherished citizens, Marvin Greenberg. Rarely have I known an individual who has given more of himself to better the lives of those around him. Not only is he a great humanitarian who has been involved in every aspect of Brooklyn life, he is also a businessman of the highest caliber now celebrating the 50th anniversary of a firm he propelled to extraordinary success.

His parents were Russian Jews, citizens of a land that, instead of giving them the opportunity to realize their tremendous potential, had denied them their rights and hopes. In the early part of this century they decided to give up all that they had, their friends, their family, and their home. Their single purpose was to come to a land of hope and freedom that held so much promise for them. They came here, to America.

After settling in New York, Marvin's father entered the cigar manufacturing business. It was a hard life. Some would say that the rewards were small, that Mr. Greenberg wasn't paid well, or that he worked too long. But the Greenberg family was happy with their life here, for having had freedom denied them, they knew its true value. They knew that in America talent and hard work is rewarded with success and, most importantly, that their children would have opportunities even greater than those they had had.

Every day after school, Marvin went to the factory to help with his father's business. As Marvin now tells it, it was his work here that taught him the values that became so important in his later life. It was in seeing the dedication of his coworkers, many of whom came from families poorer than his own, that he slowly developed an overriding concern for the welfare of those around him.

The willpower of Marvin and his brother Arthur was greatly tested, and strengthened, by experiences they had in the depression years of the 1930's. Marvin was starting his second semester at New York University's business-law program when he was struck with acute appendicitis, the severity of which required a 4-month period of recuperation. Obviously he could not continue his schooling under such circumstances and had to break off. At the same time, Arthur had graduated

from the premed program at NYU with an excellent record and applied to a number of medical schools around the country. Because of his good record, he was taken back to learn that prejudicial religious quotas at these schools resulted in his not being admitted to any of them.

Their father was now faced with an agonizing situation. Both his sons, through no fault of their own, were out of school and unemployed. The year was 1936, and with the country in the depths of the depression, it was impossible to know what their future would be. He also knew that, given the chance, his sons were capable of great success. Finally, his mind made up, he went to his bank and withdrew money from his family's life savings. He purchased the Baltic Linen Co. with it and simply told Marvin and Arthur to do their best with it.

Being told to resuscitate the 2-year old Baltic Linen Co. in the economic environment of the times was similar to being given Pandora's box and being told to open it. When Marvin and his brother took over, it had one employee, saw \$200 in weekly business and was increasingly losing money. The very little equipment it had was in poor condition, and the quality of its products had fallen to a point where it had lost many of its customers.

In spite of the difficulties, the Greenbergs used their tremendous energy and talents to put the business back in shape. They dramatically increased product quality, worked continually to earn the trust of new and old customers, and increased its work force. Their resulting success was tremendous, and better than even their father had hoped for. In 1986, Baltic's 50th year, they expect to do \$50 million in business, or more than \$1 million a week, and have 90 employees. Baltic is, in short, a model of success and a keystone in the economy of Brooklyn.

Yet economic success in not, nor has it ever been, the major aim of Marvin Greenberg. Greatly affected by their own family's struggle when they were young, as well as that of many of the people their family employed, they have been deeply involved for decades in improving the life of their Brooklyn neighbors. Marvin has chaired the United Jewish Appeal and Federation periodically since 1954, and made great efforts in expanding its civic outreach programs. His work there, as well as with other groups, contributed to his election as president of the Seagate Association, which he held for 6 years from 1962-68. His tremendous success there resulted in his being named the honorary president of their senior board of directors executive committee.

Marvin has always had a great interest in medicine and devotes much of his time to improving the area's medical and psychiatric capabilities. He served on the board of visitors of the Southbeach Psychiatric Center for 4 years and made great strides in improving the depth and quality of the center's services. Though a man who has never looked for honors, his superb work at Southbeach necessarily brought him to the attention of former New York Governor Carey, who appointed him vice president of the 900-bed Kingsbrook Medical Center. Since assuming this position in 1978, he has helped make Kingsbrook a

nationally respected facility of highest caliber. I cannot adequately express my admiration for Marvin's work on behalf of these organizations. He has improved the life of thousands of Brooklynites and I thank him deeply for it.

In looking at the contribution the Greenberg family has made to our city and country, one cannot help but wonder what similar contributions could be made by any of the thousands of other Soviet citizens presently wishing to come to America. The United States should do everything in its powers to help them realize their dreams, just as the Greenbergs realized theirs. Luckily, the Greenbergs were able to come here, and I honor them today for making Brooklyn a better and more humane place.

INTRODUCTION OF THE SANTA FE NATIONAL HISTORIC TRAIL BILL

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. RICHARDSON. Mr. Speaker, it is with great pleasure that I am introducing a bill today that will give the Santa Fe Trail the national recognition and attention it deserves. I am being joined in a bipartisan effort, with 13 original cosponsors.

The Santa Fe National Historic Trail bill is relatively simple. It gives national trail designation status to the entire trail. It requires that 1 year after the enactment of the legislation, the Secretary of the Interior shall submit to Congress a comprehensive management and use plan for the trail. It does not contemplate nor authorize any property acquisition. The bill recognizes and respects all current land uses.

The opening of the Santa Fe Trail in 1821 marked the first of America's great trans-Mississippi pathways to the West. The Trail starts at a point near Arrow Rock, MO, runs through Kansas, Oklahoma, and Colorado to Santa Fe, NM—approximately 950 miles. The Santa Fe Trail is unique and differed from the Oregon and California Trails in that it was a highway of commerce. The Oregon and California Trails were used by pioneer settlers, ranchers, farmers, and miners who went in search of new homes. The Santa Fe Trail, on the other hand, was established by a merchant who foresaw profits to be made in transporting American goods across the southern prairies to eager customers in what was then the Republic of Mexico's far north. Within a short time the Santa Fe trade ballooned into a million-dollar-a-year business, pouring money and raw products into the State of Missouri and creating a minor economic boom in what had been a depressed area on the American frontier.

Mr. Speaker, a constituent of mine Marc Simmons from Cerrillos, NM, has written a marvelous book entitled, "Following the Santa Fe Trail," which makes history come alive and allows travelers an opportunity to savor the adventure, history, and intrigue that is unveiled along this historic route. Marc made his first trip on the trail in 1978. I would like to share

with my colleagues a bit of his enthusiasm about the trail:

By the conclusion of my first round-trip tour of the Trail to Missouri and back to Santa Fe I had become a confirmed Santa Fe Trail addict. My reading and my own experience had convinced me that some mysterious force laid hold of travelers' affections and drew them back again and again to the historic old wagon road. Ofelia Sloan, who made 10 or more crossings of the prairies in the 1850's and 1860's, her daughter wrote years afterward: "My mother, on one pretext or another, would join a new caravan, for she was never happier than when passing to and fro over the Santa Fe Trail." Eliza's case was somewhat unique, but persons who became enamored of trail life and remained wedded to it for much of their lives were fairly common.

The 'force' leading to addiction curiously has persisted to the present day. More and more I encounter people best described as 'trail junkies,' persons who still find excitement and adventure in exploring today's remains of the Santa Fe Trail. Perhaps some of the explanation lies in traveling with a purpose, which offers a stimulating and fulfilling experience in contrast to random sightseeing. And then of course one must take into account the magic and beauty that persists in much of the landscape through which the Santa Fe Trail passes.

One of the real values of the bill is in the promotion of tourism for the States involved. In "following the Santa Fe Trail" author Marc Simmons describes the kind of vacation experience that one might enjoy along the trail:

If you are open, receptive, and courteous you will have a splendid opportunity to become acquainted with America at its grassroots. I think you will also find that traveling with a purpose, pursuing a single theme like that Santa Fe Trail, is far more rewarding than the usual vacation spent visiting popular and much-frequented tourist spots.

Mr. Speaker, I hope that my colleagues who have a spirit of adventure will join with me in the days ahead to cosponsor the Santa Fe National Historic Trail bill so that future generations of Americans can appreciate the past and revisit the events of the 1800's. Thank you.

PREMATURE AMNESTY MAKES TRAVESTY OF IMMIGRATION BILL

HON. ROBERT C. SMITH

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Mr. SMITH of New Hampshire. Mr. Speaker, I want to bring to the attention of my colleagues an article written by William G. Hollingsworth that appeared in the April 3 issue of the Christian Science Monitor regarding the problem of illegal immigration. While I do not support granting amnesty to illegal aliens at any time, I agree wholeheartedly with Mr. Hollingsworth that if Congress decides to grant amnesty, it should do so only after it brings illegal immigration under control. Granting amnesty without knowing that we have our borders under control is a prescription for disas-

ter, and I urge my colleagues interested in this issue to read Mr. Hollingsworth's article to find out why.

PREMATURE AMNESTY MAKES TRAVESTY OF IMMIGRATION BILL

(By William G. Hollingsworth)

In show business, and in granting a large-scale amnesty to illegal immigrants, the same adage applies: Timing is everything.

To prevent a fiasco that proves the above adage true, Congress should adopt a "triggered amnesty" amendment to immigration legislation now pending. With such an amendment, illegal aliens would gain amnesty when illegal immigration was substantially curtailed. Lacking this type of amendment, the Rodino-Mazzoli House Immigration bill would initiate an early and massive amnesty well before illegal immigration could possibly be brought under actual control. And in the Senate-approved Simpson bill, amnesty could be delayed no longer than three years—even if illegal immigration was still out of control.

In their present form, both bills promise a bitter lesson in terrible timing. Granting a large-scale amnesty before immigration is actually under control is as sensible an idea as offering amnesty to draft evaders while a war still rages.

Of course the amnesty now proposed purports only to cover persons who arrived before a specified date (Senate, pre-1980; House version, pre-1982). And of course the amnesty would be proclaimed as a one-time-only event. But unless actual control over immigration is achieved before amnesty, who could possibly believe such a proclamation? Unless control over immigration first becomes an accomplished fact, amnesty would be an irresistible magnet to attract still more people to enter or stay illegally. Enticed by the profiteer's offers of backdated leases and other false papers, many would come in order to meet the deadline for claiming the enacted amnesty, albeit fraudulently. After the deadline, millions more would come and stay, convinced that a nation as befuddled as this one will sooner or later have to enact a massive amnesty for them as well. They would be right.

Apparently, many in Congress believe the proposed sanctions to deter employers from hiring illegals, plus a possibly better-funded Immigration and Naturalization Service, are so certain to succeed that amnesty can be granted blindly—without first seeing that adequate control over immigration is anything but a hope. Unfortunately, there is simply no basis for such optimism.

In the first place, any system of employer sanctions that Congress enacts will be fraught with uncertainty. The sanctions may prove a semi-success. Or they may prove a dismal failure for any number of reasons. As but one example, unreliable verification: With millions of counterfeit IDs already in use—easy buys in any border town or city—a fraudproof means for employers to verify workers' legal status is essential, else the hiring of illegals will continue en masse. Yet, in the Senate bill a secure verification system would require later action by Congress—which could easily mean never, or nearly so. Although the House bill more wisely attempts to mandate such a system, reliability is unproved. Until a plausible verification system exists nationwide and proves reliable, and until their other components are proved in practice, employer sanctions offer no assurance of anything.

Even if Congress passes a workable sanctions bill, employer sanctions alone have never been thought to be sufficient to stop illegal immigration. A second essential is greatly to enhance border control. But the current bill authorizes increased funds only for later appropriation—funds that, given current and expected budgetary constraints, may not materialize, and may prove insufficient even if they do. A third essential is an adequate system (financed by visa fees) for ensuring the timely exist of millions of non-immigrant visa holders each year, of whom more than a million have been unaccounted for in a single year. The current bill wholly ignores this need.

Realistically, there is no bill Congress could pass that offers prior assurance of success in controlling immigration. Accordingly, the sole amnesty Congress can responsibly enact is one that can only be activated by a finding that illegal immigration has been reduced to an insubstantial level.

Under the approach, until actual control triggered the amnesty, those who arrived before, say, 1980 could receive provisional but nonexpirable residency and (for nondependents) work permits. Government benefits and visas to admit absent family members could be phased in after the actual amnesty had begun.

It is totally unfair to say that a triggered amnesty would keep longtime illegal residents in limbo. It is the perverse failure to pass adequate control legislation that postpones a workable and fair legalization program. Those who are calling for a pre-control amnesty have the political clout to help pass all the measures that may prove needed to control immigration, thereby soon enabling a sensible amnesty.

Unless amnesty is made contingent upon control, those who don't really want immigration control will have little or no incentive to help pass the needed bills over the next very few years. Increased immigration chaos, and another massive amnesty, are the probable outcomes. And, once again, unemployed and poor Americans will be the prime victims. A Congress that would risk causing these outcomes deserves no confidence.

DAYS OF REMEMBRANCE

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. GEJDENSON. Mr. Speaker, I rise today in order to join my colleagues in a special commemoration of the Holocaust.

While it is my nature to internalize my feelings about this tragic period in human history, I am grateful that there are others who are more able to remind and to educate the world about the Holocaust. One of those people is my friend Sigmund Strochlitz, the cochairman of the Days of Remembrance Committee. Sigmund, more than anyone I know, is able to articulate the horror and the shame of the Holocaust in a way that is profoundly touching and human. This ability and willingness to articulate what a generation saw and felt is central to understanding the Holocaust. By recalling the horror of Hitler's reign we can begin to understand. And we have to understand it, as

unpleasant as that may be, if we are to prevent a holocaust from ever happening again.

Let me also say that remembrance itself is crucial, for it is in remembering that we best pay tribute to those who suffered and to those who died in the Holocaust.

Mr. Speaker, I would like to include in the CONGRESSIONAL RECORD today the remarks made by Sigmund Strochlitz in the Capitol rotunda on the occasion of the Days of Remembrance, May 6, 1986. The remarks are as follows:

REMARKS OF SIGMUND STROCHLITZ

In this magnificent hall of freedom and democracy we gather for this Nation to remember.

To remember that in the heart of Europe a regime conceived in hatred murdered millions of innocent people.

That slaughter was brought to an end by the American and Allied armies that rescued the remnants of European Jewry and others destined to be annihilated.

The Nazi's aim was to enslave Europe and eliminate all its Jewish inhabitants. Not just kill but erase all traces, past and present and make sure that their criminal deeds will never come to light.

The Nazis took pleasure in telling us that we have no chance of coming out alive. A point they emphasized with particular relish by insisting that after the war the rest of the world would not believe what happened. There would be rumors, speculations, but no clear evidence. All traces would be removed and people would conclude that evil on such a scale was just not possible.

They would have succeeded if not for the wisdom and foresight of those men and women who liberated the camps and reported what they have found.

One of the most poignant reports can be found in the letter written by General Dwight D. Eisenhower, Supreme Commander of the Allied Forces in Europe to the Chief of Staff—General George Marshall—4/12/45 and here I quote:

"The things I saw beggar description. The visual evidence and the verbal testimony of starvation, cruelty and bestiality were so over-powering as to leave me sick. In one room where they were piled up twenty or thirty naked men killed by starvation, George Patton would not even enter. He said he would get sick if he did so.

"I made the visit deliberately in order to be in a position to give firsthand evidence of these things, if ever in the future there develops a tendency to charge the allegations merely to propaganda."

And yet we are lately faced with a new phenomenon. There are those who deny that the Holocaust ever took place despite the gas chambers and crematoria, despite the eye witnesses account, despite everything.

They preach lies, while we survivors, the witnesses of a crime that has no parallel in history, are still alive.

We have no intention to engage in any discussion with those deranged minds. It is beneath our dignity and the dignity of the dead even to refute those lies.

Just be strong are the voices coming out from the ashes of Auschwitz, Treblinka, Majdanek.

Just dedicate your lives to remember the inhabitants of the large and small Jewish communities that for centuries were part of the European landscape.

From Brest-Litovsk in Russia to the French city of Brest on the Atlantic Coast

in Brittany, Europe is drenched in blood of the six million of our people for whom there are not even tombstones and only our memories are their cemeteries.

We survivors cannot forget events others wish us to forget and must remember events others don't want us to remember.

Not for our sake.

Hatred is again on the rise and madness again entering history and what was possible to happen remains possible to happen again.

Human beings are forgetful, even the best forget. Even those who are sincere in their revulsion of the Holocaust are tempted to forget. To declare this ugly chapter of history closed, done with, over.

To forget the Gypsies who were destined to be annihilated and the Russians, Poles, Frenchmen, Dutchmen who perished in the camps or all the millions of others who died fighting, challenging the Nazi regime would be a victory for our enemies.

Alone each of us can do little, but together we can make all the difference.

The danger is in forgetfulness.

THE OLDER WOMEN'S LEAGUE CELEBRATES MOTHER'S DAY

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1986

Ms. SNOWE. Mr. Speaker, I would like to take this opportunity to congratulate the Older Women's League [OWL] on the release of an important new Mother's Day study, "Report on the Status of Midlife and Older Women in America." OWL has helped us to refocus the way in which we view midlife and older women, and in the process our view of Mother's Day. Traditionally a time for cards, candy and flowers, Mother's Day is also a time to

consider the problems and challenges that face women as they age.

The OWL report underscores the grim reality for many of today's midlife and older women. Recent reports which have painted a rosy picture of the status of the elderly fail to address the fact that millions of women spend a good portion of their old age alone, with limited incomes, suffering from multiple chronic conditions and with inadequate access to health care. For example, the total median income for women 45 to 49 was \$9,443 as compared to \$25,094 for men of the same age. For women 65 or over, total median income was only \$6,020 as compared with \$10,450 for their male counterparts. Furthermore, after years of childrearing and interrupted work careers, many women resume their caregiving responsibilities by providing care to their frail, elderly spouses and/or parents. The average age of caregivers is 57 years of age, and many have either quit work, reduced their hours, rearranged their work schedules or taken off time without pay in order to care for family members.

Thus, it is fitting that OWL has chosen Mother's Day as a time to draw attention to the issues facing midlife and older women. In that spirit I introduced a bill, which is awaiting the President's signature, designating the week of May 11-17, 1986, as "National Osteoporosis Awareness Week." This initiative, beginning Mother's Day, is designed to bring attention to a bone condition which strikes 15 to 20 million older Americans, most of whom are women. It is estimated that osteoporosis costs the Nation over \$6 billion annually in health care expenditures and lost earnings.

This essentially preventable disease is the major cause of bone fractures among women over the age of 45. These fractures are often accompanied by physical pain, deformity, and emotional stress. More than 50,000 women

die every year of complications related to hip fractures which is 10,000 more than those who die from breast cancer. With "National Osteoporosis Awareness Week" I hope to encourage mothers, daughters, and grandmothers to pay special attention to this problem by stressing the intergenerational aspects of osteoporosis.

Additionally, in recognition of the contribution of the midlife and older woman in keeping the family together through the caregiving role, I have introduced House Joint Resolution 555 designating the week of Thanksgiving as "National Family Caregivers Week." Research is exploding the myth that most older persons have been abandoned by their families and placed in institutions. Data now show that between 80 and 90 percent of the medically related care, personal care, household maintenance, transportation, and shopping needed by older persons is provided by caregiving family members.

We know, too, that the caregiving tasks are often done at a high cost in both financial and emotional terms. A recent study of the working family caregiver conducted by the Travelers Corp., of Hartford, CT, revealed that 28 percent of those surveyed spent an average of 10.2 hours per week providing care to an elderly relative or friend. Many caregivers are torn between the competing demands of family, job, and caregiving.

I want to recognize the Older Women's League for the important contribution they are making in educating and advocating on behalf of midlife and older women. Through their efforts, Mother's Day is no longer just reserved for symbolic gestures of appreciation. Indeed, Mother's Day has also become a time for action. In the words of OWL president Lou Glasse, "Your mother didn't bring you up to let other mothers down."